# LAND AND CHEMICALS DIVISION

Type of Document:	Letter			
Name of Document:	NLMK Multimedia	Notification		
	NAMES	DATE		
AUTHOR:	Jan Chochelin	5-24-2012		
APA:	The air	5-24-12012		
SECTION CHIEF:	Lorsa Serez	5/24/12		
BRANCH CHIEF:	-	φ		
DIVISION APA:	-			
DIVISION DIRECTOR:				
OTHERS:				
		160		
DRA:	10			
RA:				
, 1	0	¥. 0		
	· · · · · · · · · · · · · · · · · · ·	ş. y.		
RETURN TO:	-			
PHONE:		e (2)		
COMMENTS:				
- Notify facitily so facility can have document				
available for the four programs				
- Please return to Dan C. upon signato, pro to maily, so I can email to facility				
privile proving				



#### UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 5 77 WEST JACKSON BOULEVARD CHICAGO, IL 60604-3590

MAY 2 5 2012

REPLY TO THE ATTENTION OF:

#### <u>VIA FACSIMILE/E-MAIL AND CERTIFIED MAIL</u> RETURN RECEIPT REQUESTED 7009 1680 0000 7671 1562

LR-8J

John C. Hudson Regulatory Contact NLMK Indiana 6500 South Boundary Road Portage, Indiana 46368

Re: Multimedia Compliance Investigation at NLMK Indiana

U.S. EPA I.D. # IND984904466

Dear Mr. Hudson:

The U.S. Environmental Protection Agency will conduct a Multimedia Compliance Evaluation Inspection at the NLMK Indiana facility located in Portage, Indiana beginning Monday, June 11, 2012. The inspection and this document review request are authorized pursuant to EPA regulations and Federal environmental statutes, including but not limited to Sections 3007(a) and 9005(a) of the Resource Conservation and Recovery Act, 42 U.S.C. §§ 6927(a) and 6991(a).

The purpose of the inspection is to determine compliance with applicable environmental statutes, regulations, rules, decrees, approvals and permits. We have enclosed a list of records and documents that we require to be on-site at the start of the inspection for our review. We believe that many of these records are, or should be, readily available at your facility.

You may, if you desire, assert a confidentiality claim covering part of or all of the information requested, pursuant to 40 Code of Federal Regulations (C.F.R.) § 2.203(b), by attaching to such information, at the time it is submitted, a cover sheet, stamped or typed legend, or other suitable form of notice employing language such as "trade secret" or "proprietary" or "company confidential." Information covered by such a claim will be disclosed by EPA only to the extent, and only by means of the procedures set forth in the regulations at 40 C.F.R. Part 2 Subpart B. If no such claim accompanies the information when it is received by EPA, it may be made available to the public by EPA without further notice to you. In any event, you should read the above cited regulations carefully before asserting a business confidentiality claim, since certain categories of information are not properly the subject of such a claim.

If you have any questions regarding this inspection, please contact Daniel Chachakis, of my staff and multimedia team lead, at (312) 886-9871.

Sincerely,

Robert Dlom South

fn

Lorna M. Jereza, Chief Compliance Section 1 RCRA Branch

Enclosure

Cc: Nancy Johnston, Indiana Department of Environmental Management (w/Encl.)

#### NLMK INDIANA RECORDS/DOCUMENTS REQUEST

#### GENERAL PROCEDURE

During the multimedia inspection of NLMK Indiana, EPA will be reviewing records kept by the facility. In order to expedite this portion of the inspection, EPA is providing advanced notification of the records that EPA will likely review on-site. EPA may also request other documents not listed below during the inspection. Please provide and have available on June 11, 2012 copies of the documents where indicated (in bold italics). For most documents, EPA will review the records and then request copies, as needed.

If confidentiality is asserted for any response or document provided pursuant to this request, please ensure that each response or document is marked "Confidential" in a color clearly discernible from the print in the response or document.

- 1. General description of facility and operations.
- 2. Facility map (topographical map) and plot plan showing location and identification of all major process areas. (*Provide one copy*)
- 3. Descriptions for all process areas, including process flow diagrams, material balance, raw materials used, waste streams produced, and pollution control equipment serving each process area. (*Provide one copy*)
- 4. A corporate organizational chart. (Provide one copy)
- 5. A plant organizational chart showing the Plant Manager, at least the next two lower tiers of management (where present), and the environmental staff. (*Provide one copy*)
- 6. Solid waste and hazardous waste determinations and any waste analysis data used to support these determinations.
- 7. Provide a list of solid and hazardous wastes generated on-site by process area, equipment that generates them, and how they are handled. (*Provide one copy*)
- 8. Documentation of any spills and/or releases of hazardous substances at the facility over the last three years. *(Provide one copy)*
- 9. All records for responses to any spills in the last five years, including types and quantities of materials spilled, spill locations, analytical data, and response measures taken. (*Provide one copy*)
- 10. Manifests for the previous three years.

- 11. National Pollution Discharge Elimination System (NPDES) discharge permit and associated permit application currently in effect, including any separate storm water permits.
- 12. DRMs and associated analytical backup, including permit violation reports, for the last 3 years. (*Provide one copy*)
- 13. Storm Water Pollution Prevention Plan (SWPPP), including the Comprehensive Site evaluation, inspection and monitoring records, and all items required under Part I. D. of the NPDES permit. (*Provide one copy*)
- 14. Spill Prevention, Control and Countermeasure Plan (SPCCP) and Facility Response Plan (FRP), including inspection records, tank integrity testing, and records of training and response exercises.
- 15. Water balance diagram, with permitted outfalls. (Provide one copy)
- 16. Plans and/or written descriptions of the sewer system (including by-pass capability), monitoring stations, and outfall locations. Include process, sanitary, and storm water sewers. (*Provide one copy*)
- 17. Description of all wastewater treatment systems, including schematic diagrams and any process changes since submittal of the NPDES/pretreatment permit application. (*Provide one copy*)
- 18. All variances and/or exemptions from the RCRA requirements along with any related correspondence.
- 19. Records of all hazardous wastes brought on-site for treatment, recycling, or disposal, if applicable.
- 20. Records of hazardous waste accumulation or storage area inspections.
- 21. Most recent biennial report. (Provide one copy)
- 22. Contingency plan and documentation for any incidents that required implementation of the plan. (*Provide one copy*)
- 23. For any surface impoundment which has been closed:
  - Description of the pond construction
  - Description of the dimensions
  - Description of the contents of the pond, prior to closure
  - Analysis of any sludge removed from the pond
  - Description of the final disposition of any sludge removed from the pond
  - Analysis of any wastewater removed from the pond

- Description of the final disposition of wastewater removed from the pond
- 24. Closure plan, final closure report, and correspondence relating to closure of any areas between NLMK and the Indiana Department of Environmental Management (IDEM), including documentation of closure approval by IDEM.
- 25. For any potential facility ponds:
  - Description of the pond construction
  - Description of the dimensions
  - Description of pond maintenance activities including scope and frequency of inspections and repair
  - Analysis of materials discharged into each pond
  - Description of pond operations, such as aeration, skimming, cleaning, water cannons, dredging
  - Analysis of any sludge or wastewater contained in the pond
- 26. Facility Hazardous Waste Permit Treatment, Storage and Disposal (TSDF) Permit.
- 27. Toxic Release Inventory (TRI) and Emergency Planning and Community Right to Know Act (EPCRA) data, including TRI Report Forms A and R, EPCRA 302 and 303 Notification Letter, EPCRA 311 List or MSDS submitted, EPCRA 312 Tier II reports, and Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) 103 and EPCRA 304 Release notifications.

## LAND AND CHEMICALS DIVISION

Type of Document: No Further Action Letter

Name of Document: NFA Letter for NLMK Indiana Corporation, Portage, Indiana

	NAMES O	DATE
AUTHOR:	Dan Chachakis	919/2013
SECTION APA:		
SECTION CHIEF:	Michael Cunningham	9/23/13
BRANCH APA:	Rubin Aridge RA	9/27/13
BRANCH CHIEF:	Gary Victorine M8 For	9/20/13
DIVISION APA:	NA	
DIVISION DIRECTOR:	NA	-
OTHERS:	Process representation 1	
		-
DRA:	NA	× ×
RA:	NA	- v
RETURN TO:	Dan Chachakis, LR-8J	
PHONE:	6-9871	
COMMENTS:		
		T <sub>p</sub>
	-	



#### UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

#### REGION 5 77 WEST JACKSON BOULEVARD CHICAGO, IL 60604-3590

SEP 2 7 2013

REPLY TO THE ATTENTION OF:

Mr. Bert Passalacqua Environmental Engineer NLMK Indiana Corporation 6500 South Boundary Road Portage, Indiana 46368

Re: NLMK Indiana Corporation EPA Id No.: IND984904466

Dear Mr. Passalacqua:

From June 11 to June 13, 2012, a representative of the U. S. Environmental Protection Agency, as part of a multimedia inspection team, inspected NLMK Indiana Corporation's (NLMK) facility located in Portage, Indiana. In response to violations of the Resource Conservation and Recovery Act identified during the inspection, we issued a Notice of Violation to you on December 20, 2012. Subsequent to our Notice of Violation, you submitted additional information regarding the identified violations in correspondence dated February 5, 2013 and September 16, 2013; as well as the Spill Prevention, Control and Counter Measures Plan updated in August 2013.

This letter is to inform you that EPA has reviewed the referenced responses and does not plan additional enforcement action at this time. This letter does not limit the applicability of the requirements evaluated, or of other federal or state statutes or regulations. EPA and the Indiana Department of Environmental Management will continue to evaluate your facility in the future.

If you have any questions or concerns regarding this matter, please contact Daniel F. Chachakis, of my staff, at (312) 886-9871.

Sincerely,

Gary J. Victorine

Chief, RCRA Branch

Mary Sepic for

cc: Nancy Johnston, Indiana Department of Environmental Management (njohnston@idem.in.gov)

NLMK Indiana IND 994 904466 11-13 June 2012



#### TOM OLSON ENVIRONMENTAL MANAGER

6500 SOUTH BOUNDARY ROAD PORTAGE, INDIANA 46368 tolson@us.nlmk.com

PHONE (219) 787-6450 FAX (219) 787-9570 CELL (219) 677-1535



#### JOHN HUDSON

SR. MANAGER OF SAFETY & ENVIRONMENTAL (IH, FIRE PROTECTION, SECURITY & WORKER'S COMP)

PORTAGE, INDIANA 46368 ihudson@us.nlmk.com

6500 SOUTH BOUNDARY ROAD PHONE (219) 787-8200 EXT. 248 FAX (219) 787-9609 CELL (219) 405-5183



130 Lincoln Street, Suite 1 Porter, Indiana 46304

### Les Chapman

#### President

les.chapman@ocsenv.com

Main: (219) 983-1400

(219) 916-3138 Cell: Fax: (219) 983-1414

Web: www.ocsenv.com

NLMK Indiana 6-11-2012 0730 Ambe. 0852 Entred Faility of gete. Signed accompability roster. I not agree with access condition paking pass. 0910 - Openiz Cuference Since 96 rom dson = Environmental Tech Manager John Hidson = St manager Small Business Sheet IDEM PP Shed. Credentials, Ednard, CDI. John Overview + Safety - Mini Mill, Electricity to melt scrap largest consumer of electricity melt, sleb, coil Truck, Rail, Delge 350 penle

Overhead Crains, melt shop Hearing protection mett 3,200 ° Hot strip Heating ury problem Boots, hearing protection, head but, softh glasses w/ side shild. Burn Hot ship built 1991 (when Ketz Steel) 40-50% pipe or tube rest anything made of steel. Water i non-discharge facility (evaporate) THE I peramit

KObl dust sent for recycling. by house to silo to truch Dil, greense, Universal wast Botteries.
Rago (tom; non haz). 90 acres Melt shop 24/7, shits down every 10 days for 24 hours. Hot strip mill 24/7, Stops Set, state Tuesday Hot strip outruns melt shop No struge area

5:10 2,000 lbs. Ship = 10 truck q week, 22 tons on less pay Tom 850 tons -1000 tons product per day, 36/bs dust per ton Por Product: 70,000 tro/month John Tube City & Slag poroaning facility next store. On property, management is separate, . Handle Scrap, moring scrap around on NLMk property. Screete scrap into correct grade for process Lineston, combon, magnitium to feed into process when recessary to adjust chemesty or tempeture.

No satelite, No 90-day strage, No Walk through I straite of overview, all white of Ontside fond for water (P1)
Shummer system collects
L, used oil, (P2) Lanniner Flow Tanh 1/0 label (\$3). Sludge generales here. Part 86 water system White Management adlived (PY) Roughing Mill fond (P5) (P6) G Studge, his carbon ron

Flowing water. Water inspectors John pictures. Floring to Show drain (Tom).
Tuni Usus ptable wate to cool
down malfunction heat exchanger (P8) Hazerdons waste struge (Pa) 11 Wester Dil' con Laires Oil on goind = respondent of Tube City (John 110) PIII Dust From pile Pai With from Cooling of sty

2 ) dez procesa firm doden to Water Collector and for scrapyard (P/2) Mud/sludge generation. = 20' deep, 50' vide, 2,5 millingalling Piles finn banges (P13) Outfall OOD on Pier (Water) PH: Orbon ples PIS. Slyrom P16: Liquid leaving Featily

e de la companya de

Inside Mest Shop Stap in feeds into Aurece Ops cente, EAF electricis Melt Shop will Finnace 3050° FRI 100 1 100 NOW YOU Furnae Area PH: Furnace 17 Dust PDH 18/ Signo P201 Process Pali. Sign P22+23: Just Slage End of meth shop

SWARF = grindy naterial Rom Roll shops P24 Tomi One 20 yard per quester Cardfilled (non-hay special wast) potentially too high chrome Hot Mill Fast Bay 5 trege Atdaril on good, Special west Slay carbor (see order lin) P277-28; motal flakes,

Records Next I'ms Tube City Tom's Business is booming" 1 Electric Furnace Oust Analysis -Monthly Compraite Samples (3) Gruding Swarf TCLP 3/16/2012 John: GOS.C.R Ratalyst TCIP 9/12/2011 11/18/2011 - Potals & Carpon Scale Other Nm - hay Grinding Swart let ractory Brich Solid oily Wate Scale pit sludge Scale Studge

, from floor Tom: don't ran TCLP on dust. 10-16-16-16 Pell up dust of the floor + put back into Bryhouse dust goes to TSDF Var truck dust goes to TSDF KObl bryhow dust: Emissian control dust/ studge from the primary production of steel in electric furnaces Dust in floor KOG1 High levels of lead and other motals 23 % Zinc on average 33% From (Fe) 18% Lead Averen . 63% Codinin (Ca) (See Peput) NIMA Electric Furnew and Analysis

March 8

3/2/2012

Desgenetal failitzi Horsehead Corpo IWD003 938 800 LOR Formis [2061 Signatures; Tom Olson 16 compartments 432 begs filter Manufests available 2009-2012 01-18 Quanty Code FOF 40,850 P KO61 01-10 01-03-12 068213076JJK 01-03-12 38,800 p K06/ 01-04-12 01-19 01-04-12 008213077 JJK 01-2 01-04-12 008 213078 JJK 37,700 P KO61 01-04-D 01-04-12 068 213079 JJh 39, 250 P KO61 01-04-12 01-06 42,250 p kob1 01-05-12 01-05-12 008213072 55K 01-06 39,000 P KO6 01-05-12 01-2 61-05-12 008213073 JJK 01-2 32,750 P KO61 01-13-12 01-13-12 0082/3089JJK 32,900 P KOG 01-20-12 01-25 01-20-12 008213115 JJK 45,150 p kob 01-20-12 0/-2 01-20-12 008213105 JJK 42,650 Phobl 01-13-11 01-13-12 068213088 JJK 01-7 39,950 P KOGI 01-16-12 018-18-12 068213087 JJK 01 -33,800 P KOb 01-16-12 01-16-12 008 213104 JJK 01-2 45,600 P KOB 01-16-12 01-16-12 008213103 JJK 01-17 38,250 P KO61 01-16-12 01-1 008213102 JJK 01-16-12 42,700 PKO61 01-17-12 0/-01-17-12 008213101 JJK 36,500 P. KOb 01-17-12 01-11 01-17-12 0082/3100 JJK 32,850 P KO61 01-18-12 01-18-12 008213098 JJK 01-13

nd Gop 138 800

7 03-12 04-12 04-R -6Y-1Q or-R -05-12 -13-12 -20-/2 -20-12 -13-11 -16-12 16-12 -16-12 6-12 17-12 -17-12

18-12

01-18-12 008213097 JJK 33,900 PKO61 01-18-12 01-19-12 008213096 JJK 38,050 P KO6/ 01-19-12 01-19-12 008213095 JJK 43,350 P ko6/01-19-12 01-20-12 008213/06 JJK 38,750 PK06/ 01-20-12 01-06-12 008 213074 JJK 39,150 P KO61 01-06-12 01-06-12 008 213068 JJK 35,550 P KO61 01-06-12 01-25-12 008213117 JJK 41,300 P K06/01-25-12 01-25-12 008213118JJK 44,200 P KOH 01-25-12 01-25-12 008213119 JJK 39,050 P KO6/ D1-25-12 01-25-12 008213120JJK 39,80 0A KO61 01-25-12 01-24-12 008213121JJK 38,450 KOOL 01-24-12 01-24-12 008213122 JJK 40,150 KO61 01-24-12 01-24-12 008213111 JJK 38,300 KObl 01-24-12 01-12-12 008213091JJK 35,850 PKO61 01-12-12 01-12-12 008213092 JJh 40,200 P KO61 01-12-12 01-11-12 00 8213093 JJK 33,800 P KO61 01-11-12 01-10-12 008213094JJK 42,850 P KO61 01-10-12 01-12-12 008213090 JJh 9,300 p k061 01-12-12

01-26-12 008213116JJK 42,650 PRO61 01-26-12 01-09-12 00 8213069 JJh 43,700 P KO61 01-09-12 01-09-12 008213071 JJK 40,650 P KO61 61-09-18 01-09-12 008213070 JJK 41,250 P KO61 01-09-12 01-26-12 008213127 JJK 40,850 P KO6/ d-26-12 01-26-12 008213128 JJK 42,850 Phob/01-26-12 01-6-12 008213675 JJh 34,600 P NO61 01-06-12 01-30-12 608213134 JJK 43,800 P KObl 01-30-12 01-30-12 008213135JJk 40,250P K06/01-30-12 01-30-12 008213123 JJK 43,250 P K061 01-30-12 01-30-12 008213124 JJh 40, 700 P h06/ 01-30-12 01-27-12 068213125 JJK 45,850 PKO61 U-27-12 01-27-12 068213126JJK 41,900 PK06/D1-27-12 01-31-12 608213131Jth 4200Pho61 01-31-12 01-31-12 068213132 JJK 4,250 Pk061 01-31-12 01-31-12 008213133 JJk 10,950 P K06/ U-3/-12 01-23-12 008213112 TTK 40,950 P KOH 01-23-Q 01-23-12 008213114 JJK 40,500 & K061 01-23-12

OI.

.00

00

0

0

٥

0

0

(

(

16-/J 09-12 01-09-12 09-12 0-26-12 01-26-12 U-06-12 01-30-12 01-30-12 01-30-12 1-30-12 -27-12 27-12 1-31-12 -3/-12

1-31-12

01-23-6

01-23-12

008213138JJK

008 213177 JJK

01-23-12 DO8213113 JJK 41,550 P kob/ 01-23-12 Feb 12 ·008213188 JJK 008213152JJK 068213174JJK 008213187JJK 068213175JTh 06821315/JJh 00851318P27K 008213176 JJK 008213167JJK 008513182 JJK 068313177JJK 008213168JJK 008213184JJK 008213178JJh 008213/69JJK 008213183 JJK 0082/3/7/5JK 008513170JJK 008213182 JJK 008213172 JJK 008213130JJh 008213179JJh 008313129JJK 0682131735TK 00851312d JJK 0082131475JK 008213145JJK 00831319022K 008213146 JJK 0082/3/4YITK 008213/40554 088213158 JJK 0682/31/37TK 008 2131 47 JJK 008213157 JTK 0082131/2 JJh 008213148 JTK 008213156JJK 008213141 JK 008213139 JJK 008213155 JJK 008213110JJK

008213154JTh

008 213153 JJK

0682B109JJh

008213/08JJK

### Transporteri ESR INDO03 938800 Fach Gray Trans INDO42534875 Gray Prans INDO42534875

008213107JJK 00

008213166JJK

0082/3150JJK

MAR 12

00831352272K

008213258JJK 008213258JJK

608 213256 JJK

008313254 JJK

008213249JJK

008213253JJK

008313253JJK

008313251JJK

008213250JJK

2123677K

008213235JJK

06821319977K

XTT8 P181800

008213197 JJK

068213196JJK

008213194 JJK

068213195 JJK

008213192JJK

068213191JJK

0082131900JK

008213189JJK

008213245JJK

068213244JJK

008713243JJK

008243242JJK

608213206 JJK

008 313 205 JJK

008 213 204 Jok

608213203JJK

068213 a02 JJA

0082B201JOK

SOJJK 2 JJK iluk JJK. MJJK 45 JJK SAAAMK STER BAYRITK 206 JJK 205 JJK Stt POS ansith S ACR JJJA

adjok

008213200JJK
008213180JJK
008213240JJK
008213238JJK
008213238JJK
008213237JJK
008213237JJK
008213237JJK

008213211 JJK 608213209JJK 608213209JJK 60821320JJK 608213219JJK 608213219JJK 608213207JK 608213207JK

Depart = 1630

6/12/12 Ame 2 0730 1 1100

Waste Management Method HOID

April 12 008213233 JTK 008213234 JJK 008213284 JJK 008513583 JJK 068213282JJK 068213294JJK 008213293JJK 068213292JJK 008213291JJK 008213290JJK 608213227JJK 608213228JJK 008213229 JJK 008213230JJK 008213231JJK 008213232 JJK

00821327600 0082 322 JJK 0082/32227 008213222 JJK 00821328955 0682/3223 JJh XX 382 515 800 008213224JJK 00821328JJJ 008213225JJh 008213259JJK 00821322615h 008213274JJh 0082132145Th 008213273JJh 008213215 JJh 00821327255 0082132675TK 008213270551 068213216JJh 60821327/JT/C 008213281 JJK 2082 3269076 008213297 JJK 0082/326/13/2 NET 088 E18800 0082132850 008 21327777K 008213260JJh

1010 1213276371 82/325JJJ 213289JJA SISSETT RISQRIT ITA 2132590TK (図7)灯化 13273JJK 21327233 13270002 21327/17/C 132900 (1324)政 1328 TK

213260JJK

MAY 12 008213324JJK 008213321 JTK 008213320JJK 008213319JJK 008213303JJK 008213302 JJK 008213301 JJh 00821320011K 008213299JJK 0082/3307 JJK 008213306 JJK 008913302JK 008213304 JJK 008213313JJK 008513315 22K 008213311JTK 00721331055K

008213309 JJK NTT 1326/5800 06851321622K 008513568 JIK 06213296JJK 008213297JJK 008513501JJK 008213318JJK 008213317JJK 008213316JJK 008213315 JJK 068213314 JJh 008213329JJK 008213328JJK 0082133275TK 007213326JTK 508213325JJK

007213307JJK

(within undow) TSOF copy due : 00821332255K5/21/2 00821334825/29/12 00 8213333JJK 5/29//2 008213339JJk 0082133401Th 1/2/12 00821334175K 008213342JJK 008213343JJK 608213323 174 0082/3330574 0082133/JJk 3/2//2 0082/33327Jth 7/3//2 608 21 3333 JK 5/24/12 00821333425K 3/23/12

within window, within to TSDF copy 009213335 Jth 724/12 008213337 Jth 0082133365Th 5/21/12 Non-Haz Waste Profiles Profile # Scale Sky Sludge Steel slabs KP0600 100% carbon oxide Sediment of Cooling Scale/sludge water, Corbin 989% Gravel/Dirt 10% 10406IN Retactory Srich Leale brich / Reheat from Brich 505447 Lefactory 100% Grinding Sworf 002830 Roll grinding Swarf 100% 104043IN Scale pit sludge Scale pit sludge 51 Walge 90-100%

Walk though, The city
P29- The City Inf Sign 13337 Jth Dry Slay pito, process slag, 4 3" slag, sold, Crusher msite process scrap metal out of Sly to NLMK H.W. Solvents, moste oil, universel waster. Universel Waste only, NO federal ID All input from NEMK 2 43 employees Use water to guench stay and dust control, a 118 tons per year, most in 2011 Greg Wieczorch, Ste Superfredent

P30 1 3" Slag pile P31: "Fines" pile P32: Slag being Finel quenched P33: Nimh Swap pile NAMA Project whom overflow scrip pile P34: Solid waste site 1351 Screp pilet scrap 176; Bach sile Concern's Tite in truch The in dich, NCMK

P37: Used electrodes, The course of reuse by verdon P38: brogehit Electrodes Record Review

Contingency Plan

Spill Preventin, Control and,
Countemerne Plan (SPCC Plan)

Ture 2008

Emergency Actin Plan Effective 11-01-92, Renseil 3-11-09

Emergency Conductor i Home adelhers missing Emergency Conductor i Assumed to be John Hudson, but not stated.

Emergency Equipment: 13 SPCC for spill response materials. Loes not include brief outline of Capillities for each item of equipment Jos Does not address explosions (but does fires) crowd fg 9 of EAC uses the term Emergency coordinator, but does not describe who that person is, Neither plan discusses spill of H.W. Ontside agencies Portage Fire Department: Strosser Health care Hospital: No Police: No Hobert, IN Spill Regense Conhactor! No Mutual and five No; Port security, No No record of submission to outside agencies

ill response Bi enrich Report 2 17,765,340 lbs in KO6 in Report year 2011 m) Waste Minimization Program Tompere Unable to provide a written waste minimization program

Found and presented by John James Vargus, Mechani Jourynam Elishbeth Lachy, Mechani Jourynam Rich Cross, Mechanin Journan Tom Olson, Environmental Manager John Hudson, Senin Manager of Safety and Environmental

Walh through P39 = Compressor hose of Sit South End of failty, Form: P40 = "bed of 11 11 PY/= Celing tampormen, When free truent P42 melt ship, don 8 area Bugfiet lorde for dig out Jeahing AC mi "Mud" disposed of com-hay west P41: Oil/water potentially from Cartin pilé

Air lynt out:

We stons per hom for EAF d. 1.8a

exceeds permit

NOX exceedences d. 2.8

Bag house presumate d. 1.14

records

Prevalence Maintenance plan

SCA - Dy House system d. 1.9

Remove d. 2.11; don't have egyment

'Not operating!' in records d. 1.16(d)

Minor VS MAjor Source for HAPS

John i No COI claim

John: No CBI claim
6 Report OUT (see Commerts theat) AM
End SPCC and Air 6-12-12
4 Jepant out PM

Dust generated methy steel = 7 70m Jon i Siveeping of dust put bad into turnace EAF Floor Sust potentially not hazardons waste for until exits air treatment system deport 21600

6/13/2012 Arrive 20820 I Shutdown Fraining Spill procedures New Employ on Entern Soll porocedures Annual Herester Purige Kitchen: Safety Director Keeps Excel spread sheet

.

your frilater Scrap yand is perved, but office white Out brief John, 2 mode inspector, andanie 2 ontfalls, one not is use 002 strmute outfall Storm water pollution prevention plan 4 Josh at entire property, the luding are across the road (Tube City + Truch conjuny). Laddress Tun-off heading towards Take Is keep everything on-sife

Is don areas where material as capes Is Needs a map describing elevations + top graphy with How lines Is map doest show the entire area. In Need rain event inspections Le Look over inspection points and Their description (source inventing) 4) by Outfall 082/ manhole where sayls John's Supposed to be blocked by barriors to ensure access. Lo Bry house scrap area = Derm In to prevent migration to String Sever 4 Caton pile + Truch pile: berry to prevent migration for rain to storm sever

Conection Action / Come of Johns Co Haven't closed anything Not a TSDF w John No Variances W John No Spills, No Releases WIThin Training wom Job Titles, name of employee i Yes Written gob description i Yes Type & amount of introd annual training; No Records document training; Yes Hed does just not listed

Walkethrough, ACA -Corl area, south ond 3 stones, 2 underground Fire Extinguishers Dust, maintenance pay Company collects dust Placed in bin next to carbon bin No H.W. determent PHI - Mant area Naste 01" & Used of ] p 4846 Concorni Cortain als Istels
Used oil p 46 press area

Oil Contine up conte Roll shop -Only debries, P47 North 7 Bett shop Mett Medaniel 5

Bag House Pyg= load point System Overflow O verflow while present Vac Truck -> Strage -> hose hose reaches angulie after in Vac Truck Wate Potant Waste Pot pot 54
Empty/ near Empty Electronic Deann Empty Cana Posty Letter for solid vaste Cors Whetense 85436

John, Jom, Dan, Los Outbrief Blential Areas of Committee Used oil i spills (small) "Used oil"
Words; "#. W. "Used oil" Containers i No label or description/ Signs! Wearing out Emergency Egympment i signo under Dust; No h.w. deferment Waste Polofloc! No how determination Red Fraile i Mart/label w How, order

Ised OI"

Continues Am

Training Training Regiment, Fold titles

Waste Determination

SWARF contain SWARF

Sludge contain Sludge

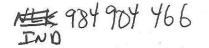
Demenis release while present in
Less House

Botenail de-listing

Q lepert 2 1530

merw.

1 that





14D 984 904-466

It is not anticipated that any State or other local agencies will be called upon to respond to releases of hazardous wastes from this facility.

The names, addresses, and phone numbers of all persons qualified to act as emergency coordinator is provided below. These personnel are identified in this plan as Response Coordinators which, for the purposes of this plan, is equivalent to Emergency Coordinator:

Name	Title	Address	Phone Numbers
Bert	Maintenance and	532 Hickory Ln	Work: 219-787-6426
Passalacqua	Environmental	Munster, IN 46321	Mobile 219-798-0148
(Primary)	Engineer	F 1	Home: 219-836-2682
24 hour on-site supervision (Alternate)	Shift Supervisor (Melter)	EAF Pulpit	(219) 787-8299 x 303
Jason Bush	Safety Manager	5667 Redwood Av.	Work: 219-787-6565
(Alternate)		Portage, IN 46368	Mobile: 219-728-7485
			Home: 219-763-2132
Terry Black	Bag House	6450 Robbins Rd.	Work: 219-787-8200
(Alternate)	Maintenance	Portage, IN 46368	x334
	Manager		Mobile: 219-406-1398
		h 25	Home: Need

These personnel are listed in the order in which they will assume responsibility for response.

Following is a list of the emergency response equipment/provisions that this facility maintains:

- Baghouse Fire Extinguishers (5, 20lb ABC type)
- Spill Kits (1), capable of absorbing 20 gallons of liquids
- Mobile radios that are worn by all facility personnel and are monitored continuously
- Land-line telephone, located in the Baghouse at extension 308.

While it is unlikely that a facility evacuation would be necessary due to a hazardous waste incident, the facility does have an evacuation plan. This evacuation plan is located within the facility's Emergency Action Plan in conformance with 49 CFR 1910.38(c)(2).

#### 3. Copies of Contingency Plan (40 CFR 265.53)

This contingency plan will be distributed to the following individuals and organizations:

- 1. Bert Passalacqua, Maintenance and Environmental Engineer (Primary Response Coordinator)
- 2. Jason Bush, Safety Manager, Alternate Response Coordinator
- 3. Terry Black, Maintenance Manager, Alternate Response Coordinator



February 5, 2013

#### <u>Via Electronic and U.S. Certified Mail</u> Return Receipt Requested

Mr. Daniel Chachakis Environmental Protection Agency, Region 5 77 West Jackson Boulevard, LR-8J Chicago, IL 60604

E-mail: chachakis.daniel@epa.gov

Re. Notice of Violation NLMK Indiana

EPA ID No.: IND984904466

Dear Mr. Chachakis:

On December 26, 2012, NLMK Indiana received from the United States Environmental Protection Agency ("EPA") a December 19, 2012 letter outlining a Notice of Violation ("N.O.V.") as the result of a multi-media inspection conducted at this facility in June of 2012. Specifically, this N.O.V. is related to allegations regarding hazardous waste operations and conditions. The N.O.V. requested a response within 30 days of receipt. NLMK Indiana's original written response was provided to you on January 18, 2013 and was timely.

During our January 30, 2013 meeting, EPA requested NLMK Indiana to submit an updated version of its response with the "For Settlement Discussions Only" language removed and NLMK Indiana agreed to do so by February 8, 2013, so that this response is timely. As requested, NLMK Indiana's response details actions that have been taken and will be taken to demonstrate compliance with the alleged conditions and requirements outlined in the N.O.V. NLMK Indiana's response to EPA is not an admission of any alleged fact or violation and should not be construed as such. It is the intent and policy of NLMK Indiana to fully comply with applicable regulations.

The N.O.V. contains six (6) allegations, each requesting a response. This response letter repeats each allegation as arranged in the N.O.V. followed by a response:

1. A large quantity generator must determine whether its waste is hazardous. See, 329 IAC 3.1-7-1; 40 C.F.R. § 262.11. At the time of the inspection, NLMK had not determined whether the following wastes are hazardous: waste dust from the storage areas of the facility floor (that is not added back into the process), waste aerosol cans, or waste polyfloc. In addition, waste profile "002830 Swarf" describes the waste content as "swarf" without additional analysis; and waste profile "104043IN" describes scale pit sludge content as "sludge" without additional analysis. NLMK, therefore, violated the above-referenced generator requirement.

#### Response:

Regarding the allegation that NLMK Indiana has not determined whether "waste dust from the storage areas of the facility floor" is a hazardous waste: Based on EPA'S RCRA Compliance Evaluation Inspection Report (the "Report"), NLMK Indiana understands EPA to be referring to dust EPA's inspector observed on the main floor of the Melt Shop that is not added back into the process. NLMK Indiana has determined that the dust is not a hazardous waste, but understands that it is not able to provide documentation of its determination. NLMK Indiana will make another hazardous waste determination on the dust and retain written documentation of its determination.

PHONE: 219-787-8200 FAX: 219-787-8725



Regarding the allegation that NLMK Indiana has not determined whether waste aerosol cans are hazardous waste: NLMK Indiana believes that hazardous waste determinations have been made, but understands that it has not been able to provide documentation of its determination. NLMK Indiana will make hazardous waste determinations on the various types of aerosol cans it uses and will retain written documentation of its determinations.

Regarding the allegation that NLMK Indiana has not determined whether a barrel supposedly containing waste polyfloc is a hazardous waste: NLMK Indiana has determined that the barrel marked "waste polyfloc" that appears in the Report did not in fact contain waste polyfloc and that the barrel was mistakenly marked. The barrel actually contained skimmed used oil. This barrel has been removed from the facility.

Regarding the allegation that NLMK Indiana did not determine whether swarf is a hazardous waste: NLMK Indiana is enclosing analytical results on samples of its swarf dated March 2, 2012, April 17, 2009, and April 26, 2005. These analyses demonstrate that NLMK Indiana has determined whether or not the swarf is hazardous and that it is not a hazardous waste. NLMK Indiana believes these samples are fairly representative of its swarf. Please see Appendix 1.1.

Regarding the allegation that NLMK Indiana did not determine whether scale pit sludge is a hazardous waste: NLMK Indiana is enclosing analytical results dated May 16, 2006 that demonstrate that NLMK Indiana has determined whether or not the scale pit sludge is hazardous and that it is not a hazardous waste. NLMK Indiana's processes have not changed. Please see Appendix 1.2.

2. In order to avoid the need for a hazardous waste storage permit, a large quantity generator using containers to store hazardous waste must label or mark the container with the words "Hazardous Waste" and the date upon which each period of accumulation begins. See, 329 IAC 3.1-7-1; 40 C.F.R. § 262.34(a)(2) and (3). At the time of the inspection, NLMK did not label or mark the container associated with the vacuum truck with the words "Hazardous Waste" or include the date upon which accumulation began. NLMK, therefore, failed to comply with the above-mentioned condition for a hazardous waste storage permit exemption, and violated the container management requirement.

#### Response:

NLMK Indiana contends that these vacuum boxes are not used as storage containers per se and, instead, are part of the cleaning process followed to empty the bag house. The duration and frequency of these cleaning operations is approximately 8-12 hours every other week. Any material moved into the vacuum boxes is immediately transported off-site, in compliance with the RCRA regulations, for reclamation and is not stored.

Regardless of the above statement, we have applied "Hazardous Waste" labels to the vacuum boxes and can now record accumulation start dates. Images of this task's completion are attached here for your examination. Please see Appendix 2.

3. In order to avoid the need for a hazardous waste storage permit, a large quantity generator must maintain a written description of the type and amount of both introductory and continuing training that will be given to each position related to hazardous waste management. See, 329 IAC 3.1-7-1; 329 IAC 3.1-10-1; 40 C.F.R. § 262.34(a)(4); 40 C.F.R. § 265.16(d)(3). This is also a requirement of owners and operators of hazardous waste storage facilities, under 329 IAC 3.1-9-1 and 40 C.F.R. § 264.16(d)(3). At the time of the inspection, NLMK did not have a written description of the type and amount of both introductory and continuing training that will be given to each position related to hazardous waste management. NLMK, therefore, failed to comply with the above-mentioned condition for a hazardous waste storage permit exemption, and personnel training requirement.

#### Response:

NLMK Indiana has created and will maintain a written description of its introductory and continuing training plan for positions related to hazardous waste management. We shared the written description with you during our January 30, 2013 meeting and understand that it is acceptable. NLMK Indiana appreciates your suggestions about computerizing training records and will consider whether that can be accomplished.

4. In order to avoid the need for a hazardous waste storage permit, a large quantity generator must maintain in its contingency plan, the home address of the emergency coordinator, an emergency equipment list that includes an outline of the capabilities of each item of equipment, plans to address spills of hazardous waste, and an indication that the plan was submitted to off-site emergency

PHONE: 219-787-8200 FAX: 219-787-8725



responders. See, 329 IAC 3.1-7-1; 329 IAC 3.1-10-1; 40 C.F.R. § 262.34(a)(4); 40 C.F.R. Part 265, Subpart D. This is also a requirement of owners and operators of hazardous waste storage facilities, under 329 IAC 3.1-9-1 and 40 C.F.R. Part 264, Subpart D. At the time of the inspection, NLMK's contingency plan did not include the home address of the emergency coordinator; did have an emergency equipment list, but not an outline of the capabilities of each item of equipment; did have plans to address spills, but not spills of K061 hazardous waste; and there were no records indicating that the plan was submitted to all local police departments, fire departments, and state and local emergency response teams that may be called upon to provide emergency services. NLMK, therefore, failed to comply with the above-mentioned condition for a hazardous waste storage permit exemption, and the contingency plan and emergency procedures requirements.

#### Response:

In conjunction with planned revisions to its Spill Prevention, Control, and Countermeasures ("SPCC") Plan, NLMK Indiana will revise its Hazardous Waste Contingency Plan and incorporate it into its SPCC Plan. We will follow the timeline EPA and NLMK Indiana agree to for revisions to and implementation of its revised SPCC Plan, will keep you apprised of that timeline, and will copy you on our submittals regarding the SPCC Plan.

5. Used oil generators must clearly label or mark containers and above-ground storage tanks used to store used oil with the words "Used Oil." See, 329 IAC 13-4-3; 40 C.F.R. § 279.22(c)(1). At the time of the inspection, NLMK had used oil containers marked with the words "Bad Oil" and "Waste Oil." NLMK, therefore, failed to meet the condition of the used oil generator requirement.

#### Response:

All non-conforming used oil containers have been relabeled and appropriate personnel have been contacted for training in this regard. An image of an example of a properly labeled container is attached for your examination. Please see Appendix 5.

6. Used oil generators, upon detection of a release of used oil to the environment, must clean and manage properly the released used oil and other materials. See, 329 IAC 13-4-3; 40 C.F.R. § 279.22(d)(3). At the time of the inspection, NLMK had "small" releases of used oil within the facility and on property controlled by both NLMK and its tenant, Tube City IMS Corporation. NLMK, therefore, failed to meet the condition of the used oil generator requirement.

#### Response:

NLMK Indiana does properly manage and clean releases of used oil as they are detected, but is improving its process and procedures. As part of the planned revisions to NLMK Indiana's SPCC Plan, we have deployed new spill control kits in high risk areas around the facility. Please see Appendix 6.1 for an example image. We have also implemented regular inspections to physically audit the effectiveness of day to day efforts to detect and correct issues that arise. Please see Appendix 6.2 for an example page of the program that has been implemented. Additionally, we intend to specify and install secondary containment for our used oil storage location as part of our SPCC Plan revisions.

Again, NLMK Indiana is committed to pursuing and fulfilling our environmental compliance obligations. We have been implementing standardization of our environmental policies and tasks, including additional continuous improvement activities, to enhance our abilities to comply with our regulatory responsibilities. We appreciate the opportunity to respond to your allegations and trust that this letter will serve to adequately address concerns highlighted in the N.O.V. Please contact me with any questions or comments.

Sincerely,

Bert Passalacqua

Environmental Engineer

PHONE: 219-787-8200

FAX: 219-787-8725



cc: Nancy Johnston, IDEM Les Chapman, OCS Environmental Terri Czajka, Ice Miller

PHONE: 219-787-8200 FAX: 219-787-8725



Appendix 1.1: Swarf Analytical Results

PHONE: 219-787-8200

FAX: 219-787-8725

Mr. Kevin Perkins

Waste Management / Superior Weste Systems

trojic#

20645 Ireland Road

South Bend, IN 48614

Tel No: 574-646-4475

Fax No: 574-546-6189

PO No:

Project Name: Sets Steel

Report Date:

4/28/05

Ela Order No:

080400124

EIS Sample No: EIS Project No:

102683 3079-1000-08

Client Sample ID:

Grinding Swarf

Daje Collected;

4/14/05

Date Received: 4/18/06

Collected By:

Client

This report presents results of analysis for your sample(s) received under our Order No above. This Number is to be used In all inquiries concerning this report. The EIS Sample No shove, as well as your Sample ID, refer to the first sample in a multi-sample aubmission

#### DEFINITIONS:

MDL = Method Detection Limit normally achieved in the absence of Interferences or other matrix difficulties. RDL = Reporting Detection Limit achieved in your sample. If numerically greater than the MDL, dilutions were required in order to perform the enalysis, if numerically less than the MDL, allemate techniques were employed.

= Not Detected at the RDL value, if present, result is less than this value.

= Not Detected at the numerical value shown; if present, result is less than this value.

i | = Result is Estimated due to matrix interferences or calibration curve exceedence.

CHAIN-OF-CUSTODY is endosed if received with your sample aubmission.

DRINKING WATER CERTIFICATIONS: Chemistry = C-71:02 Bacterlology = M-78-5

The data in this report has been reviewed and complies with EIS Quality Control unless specifically addressed above.

EIS Analytical Services inc 1701 N. Ironwood Drive, Suite B " South Bend, IN 48635 " Tal: 574-277-0707 " Fax: 574-273-6699

#### SAMPLE RESULTS

Page 2 of 2

CLIENT SAMPLE ID: Grinding Swarf
CLIENT PROJECT: Beta Steel
SAMPLE TYPE: Soll/Sludge/Solld

Report Date: 4/28/05 EIS Sample No: 102663 EIS Order No: 050400124 Date Received: 4/18/05

Date Collected: 4/14/05

Parametar	Results	Ville	RDL	MOL	Teal Date	Analyal ID	Method
Digest Mercury(TCLP Extract)	Complete				4/21/05	EOB	7470
Digest ICP Metals(TCLP Extract)	Complete				4/20/05	E09	3005 A
TCLP Extraolion	Complete				4/19/05	EOB	1311
TCLP METALS .							
Arsenic,TCLP	<0.1	mg/L	0.1	0,1	4/20/05	EOS	6010
Barlum, TCLP	0.34	mg/L	0.01	0.01	4/20/05	E09	8010
Cadmlum,TCLP	<0.02	mg/L	0.02	0.02	4/20/05	EØ9	8010
Chromium, TCLP	<0.02	mg/L	0,02	0.02	4/20/05	E09	6010
Lead,TOLP	<0.05	mg/L	0.05	0.06	4/20/05	E09	8010
Marcury, TCLP	<b>&lt;</b> 0.001	mg/L	0.001	0.001	4/22/05	€09	7470
Selenium,TCLP	<b>≺0.1</b>	mg/L	0.1	0.1	4/20/05	E09	6010
Silver,TCLP	<0.01	mg/L	0,01	0.005	4/20/05	E09	6010

							CHA	IN OF	CUSTODY	RE	COR	D							
PE	भ्राह्म इंद्याला				ECT NAME BEIM	-57-c	}		Total No.			/(	5)			/		Lab	Order ID
SAMPLEF	-	Name &:	_	1)					of		/i		/			/		05	04.124
FIELD .	DATE	TIME	C O M	G R A B	STATION L	OCATION			Con- tainers			[	/	//	/,	/	Sample Type	TAT	Lab Number
	1/14/15	11:15		χ	GRIN	১ন্ড-১	Mar.	Ł	1	1									102563
]						· · · · · · · · · · · · · · · · · · ·													
			-									-							
			-	-		<u></u>		····					-						
				<del> </del>	ox p				OU 175	10				řs O				1	
	0000					5x	n Pe	15/0°	1	5		54	-0	187					
			+	+	K B		to 3		nevi-	JR	RJ			-				-	
Relinqui	ished By:	(Signatu	re)	ر دور	u .	Date 4/18/05	Time 1/-28	Recei	ived By: (S حسر تا	n QU	6		<u>.                                    </u>	L			JOTE NO:		
Relinqu	ished By:	(Signatu	re)			Date	Time		lved By: (S						Sh	ip T	0.		
Relinqu	ished By:	(Signati	rre)			Date	Time	Rece	ived By: (S	igna	ture)		_						

NOTES: 1] If you were issued a quote number, it must appear on this document.
2) Instructions & area for comments are on reverse side.

### TCLP AND HAZARDOUS WASTE CHARACTERIZATION REGULATORY LIMITS

<b>****</b>	USEPA	RL	DL.	T	USEPA	RI.	DL
Haza	rdous Waste Constituent	(mg/l)	(mg/l)	Hezer	dous Waste Constituent	(mg/i)	(mg/l)
-		, de la constitución de la const	7	1			
VOL	ATILE ORGANICS			TOLP	METALS		
D018		0.5	0.02	D004	Arsenic	5.0	0.05
D019		0.5	0.02	D005	Barlum	100,0	0.01
D021	Chlorobenzene	100,0	0.02	0006	Cadmlum	1.0	0.01
D022	Chloroform	6.0	0.02	D007	Chromlum	5.0	0,01
D027	1,4-Dichlorobenzene	7,5	0.02	D008	Lead	5.0	0.05
D028	1,2-Dichloroethene	0,5	0.02	D008	Mercury	0.2	0.001
0029	1,1-Dichloroethylene	0.7	0,02	D010	Selenium	1.0	0,05
D035		200.0	0.02	D011	Silver	5.0	0,01
D039		0.7	0.02			1	
D040		0.6	0.02	MISCE	LLANEOUS		1
D043	Vinyl Chloride	0.2	0:1	D001	ignitebility ("F)	<140	-
ř	•			D002	Corresivity (SU)	2 - 12.5	****
SEMI	VOLATILE ORGANICS			5003	Cyanide (Resclivity)(ppm)	250	10.0
0023	o-Cresol	200,0	0.1	D003	Sulfide (Reactivity)(ppm)	500	10.0
D024	m-Cresol	200.0	0.1		Paint Filter Liquids (mi/6min)	0	ן סן
D025	p-Cresol	200.0	0.1				
D026	Total Cresols	200.0	0.3				•
D030	2,4-Dinitroloiuene	0,13	0.1				ĺ
0032	Hexachlorobenzene	0,13	0.1				1
D033	Hexachloro-1,3-butedlene	0,5	0,1				į
D034	Hexaphloroethana	3,0	0.1				ł
D036	Nitrobenzene	2.0	0.1				1
D037	Pentachlorophenol	100,0	1,0				[
D038	Pyridine	5,0	0,1				
D041	2,4,5-Trichiorophenol	400.0	1.0				l
D042	2,4,6-Trichlorophanol	2.0	0,1				}
	- 1 4 6 fm 4 745 mm - 1 45 fm mm m.				74 P		1
	CIDES AND HERBICIDES	0.00	, na				Į
D020	Chlordane	0.03	0.01				Buette
D012	Endrin	0.02	9.005				ť
0031	Heptachior (& expoxides)	0.008	0.004				1
D013	Lindane	0,4	0.005			1	1
D014	Methoxychlor	10.0	0.01			Į	1
D015	Toxaphene	0.5	0.005			J	-
D016	2,4-D	10.0	0.000			, ,	1
0017	2,4,5-TP (Slivex)	7,0	ַ פֿט,ט	-			<del></del>

<u>Legend</u>
RL = Regulatory Limit
DL = Detection limit of test barring interferences in the aqueous extract.

SW-846 Test Methods	
Volatile Organics	8260
Semi-volatiles	8270
Pesticidas	8081
Herbicides	8151
Metals	6010
Mercury	7470
lgnita bility	1010
Corrosivity	9040
Cyanide	Ch-7
Sulfide	Ch-7
CCLP/ZHE Extraction	1311
Paint Filter Liquid	9095

WWW.BHERRYLABS.COM

0371 Claveland Road Suite 100A South Band Indiana 48628 674-277-0707

Tom Olson
Beta Steel Corporation
6600 S. Boundary Road
Portage, IN 46365
TBL:
FAX:

RB: WM Renewal

Dear Tom Olson:

April 17, 2009 Order No.: B09040017

Sherry Laboratories received 1 sample on 3/31/2009 for the analyses presented in the following report.

In accordance with your instructions, Sherry Laboratories conducted the analysis on samples submitted by your company. The results relate only to the Items tested. Unless otherwise noted, all analysis was conducted using BPA approved methodologies. Subcontracted tests are indicated by "SUB" as the analyst. All relevant sampling information is on the attached chain-of-custody form. Certifications/Accreditations: IN# C-71-02 IN# M-71-02

If you have any questions regarding those tests results, please feel free to call.

It is the policy of Sherry Laboratories to retain all documents for seven years. If a copy of a report is needed, it will be available during this retention period at \$10 per copy.

This report contains // pages.

Approved By: Second Share



#### Testing Today, protecting tomorrow

WWW, SHERRYLADS, COM

6871 Cleveland Road Bulle 199A South Bend Indians 48628 674-277-0707

Pax: 674-278-\$899

CLIENT:

Beta Steel Corporation

Lab Orderi

E09040017

Projects

WM Renewal

Date Received: 3/31/2009

Date Reported: 17-Apr-09

Lab ID: E09040017-01

Collection Date: 3/30/2009

Sample ID: Grinding Swarf

Matrix: SOLID

1191111 101 1011111		Delection			Date	
Analyses	Result	Limit	Qual	Units	Annlyzod	<u>Analyst</u>
MERCURY, TOLP LEACHED	SW7	470A				sub
Mercury	< 0.020	0,020		ppm	4/9/2009	
iop metals, tolp leached	SW1:	311/6010B				anp
Assenio	< 0.10	0.10		ppm	4/18/2009	4:08:54
Barlum	0,26	0,25		ppm	1/15/2008	4:05:64
Qadmlum	< 0.080	0,050		ppm	4/13/2009	4:05:54
Ohromium	< 0.080	0.080		ppm	4/18/2009	4108:64
Lead	0,98	0,10		mqq	4/18/2009	4105 64
Selenium	· < 0,20	0.20		ppm	4/18/2009	4106164
Silver ,	< 0,050	0.050		ppm	4/10/2009	4:08:54

Qualiforsi

ND - Not Detected at the Reporting Limit

J - Analyto detected below quanthation limits

B - Analyto detected in the associated Method Blank

# - Value exceeds MCL or Permit Limitation

S - Spike Recovery outside accepted reservery limits

R - RPD outside accepted recovery limits

MI+ - Mairix Interference

H - Daceods Holding Time

Page 1 of 1

This document shall not be reproduced, except in full, without the written approval of Sherry Laboratories, Inc.



Appendix 1.2: Pit Scale Sludge Analytical Results

PHONE: 219-787-8200

FAX: 219-787-8725



May 16, 2006

1.2

Work Order No.: ME0605386

Ken Field
Midwest Environmental, Inc.
4905 Columbia Ave
Hammond, IN 46327

RE: Beta Steel / Portage, IN

Dour Ken Field:

Microbac Laboratories, Inc. received 1 sample on 5/10/2006 1:40:00 PM for the analyses presented in the following report.

The enclosed results were obtained from and are applicable to the sample(s) as received at the laboratory. All sample results are reported on an "as received" basis unless otherwise noted. This report includes the numbered pages as well as the Cooler Inspection Report and Chain of Custody form(s).

All data included in this report have been reviewed and meet the applicable project specific and certification specific requirements, unless otherwise noted. A qualifications page is included in this report and lists the programs under which Microbac maintains certification.

This report shall not be reproduced except in full, without the written approval of Microbac Laboratories.

We appreciate the opportunity to service your analytical needs. If you have any questions, please feel free to contact us.

Sincerely,

Microbac Laboratories, Inc.

Project Manager

Enclosures



#### WORK ORDER SAMPLE SUMMARY

Date:

Tuesday, May 16, 2006

CLIENTI

Midwest Brytronmental, Inc.

Project:

Bein Steel / Portage, IN

Lab Order:

ME0605386

Leb Saupt: ID

Client Sample ID

Tag Nuraber

Collection Data

Date Received

M80605386-01A BBTACERT-06

5/9/2006 12:10:00 PM

5/10/2006



CASE NARRATIVE

Date:

Tuesday, May 16, 2006

Chants

Midwest Environmental, Inc.

Project;

Bota Steel / Portage, IN

Lub Order:

ME0605386

TPH Analysis:

The sample had quantifiable peaks in the Diesel Range. These peaks however do not match true Diesel and Gasoline fuel patterns, therefore the TPH as Diesel results were reported as ND.



Client:	Midwest Environment	wl Ter	-	100070000	A PARTY OF THE PAR			120	May 16, 2006
Citest Project:	Bala Steel / Portage, 1								
Client Sample ID;	BETACERT-06	f.at				#12	O	73, 201	
Souple Description:	DDI MCDW 1-00						Order/ID:		E0605386-01 <i>A</i>
Sample Matrix	Solid						eaton Date:		05/09/06 12:10
oompie regires:	SOLG		obtviteni-wesenen	-	عدد عدسوشد على المراجعة	Da:	te Received:		05/10/06 13:40
Augistes		51	in Antianaronoino-arond	Regult	P.L	Qual	Units	DF	Analyzed
TOTAL PETROLEUM HI	YORODAREON Malhpd:	awan	sa mor	3	p,	an Date/	Time: OS/18/08	ละเกเ	B Anahami Asi
Dissel Range Organios		` } A		`' ` {	190		ima/Ka /	18	95/16/06 16:04
Gasoline Hange Organi	les		114	"ind	1901		mo/Kg	ה מוֹי	05016/08 15:04
TPH as Dissel		Ä	٠٠ ۾	· · · ·		i	mp/iCc	₩ ₹	05/16/08 15:04
TFH as Gasoline	1	`i A		NO)	180	i	mg/Kg	10	05/16/06 15:04
Sun: Decatluorobijon	and the second	, B	حاسطا		50-150		. * * 1		
1 Son December	enyr	. 1 5	22.5	,,	20,120	SD	*AEC	10	pojaros isciã
and the September of th					_				
CTS WENCHEA	. Wethed:	8W1511	17470A		0.0010		Time: 05/18/06		
, ,,		; A	ì	ND)	, ologial		mg/L j	,	06/16/08 12:28
olp metals	Maithod:	SW1211	/多0千0至			ap Date/	Time: 05/15/06		
akneenA.		A	j	ND	0.20		mg/L	٦ ؛	05/10/06 01:24
Barium		A	ŧ.	МĎ	0.50		mg/L	1	05/16/06 D1224
Cadmium		TA S		~~ '`Wot	0.07	a C 3,	imp/L	7	06/16/06 01:24
Chromlum		TA	alpha banker	NE	0.050		imo/L	1	08/18/08 01/24
Last	- 4 4 1 4 1 4 1 4 54 54 54 54 54 54 54 54 54 54 54 54 5	" î Ā	4.	* ND	0,080		me/L' '	1 1	מסים ועם מסים ועם
Selenium		- ' 1' A'		<b>'</b>	0.20		ime/L	1	05/16/05 61726
She	** 1 14 14 14 14 14 14 14 14 14 14 14 14 1	مدر المارية دوريفير ( المارية	dene.	WO!	้ - " " อังกับ		mol "		08/10/08 d1 24
rite gant an later of the step of bester.	* * * * * * * * * * * * * * * * * * * *	ورهر ( به		. 775			1,73		11 'n r 1 mm -
CLP SEM-VOLATRE O	RGANICS Method:	SW1311	/8270C		Pre	o Dare∕i	'ime: 95/16/08	<b>68</b> :15	Analesi MT
1.4-Dishlorobenzana	1 1	1 -	1						
· · · · · · · · · · · · · · · · · · ·		A	,	NO	0,950	•	In of L		
2.4.5-Trichlorophenol	برايدواران سنت وداويان ليفويا ويعدموا والمراج فأوالهميد طل ويدوي	A		ומא מא	0,950/ 0.050;		more -	9 1	05/10/08 11:27
2,4,5-Trichlorophenol	I tepriet de demokration anni Stad de Colonia de la 1888 e e e e e e e e e e e e e e e e e	**************************************	,		0,950	, ,	mort.	4 1 4 1	05/16/08 1137 08718/08 17:27
2,4,5-Trichlorophenol	روبيوانو سند ولاييان ليمونه ويوم طورتوسيد قد ويمون (. د دار د م ما ما دار د م ما دار د م ما دار د ما	A		מא	0.050, 0.050, 0.050,	, , , , , , , , , , , , , , , , , , ,	mo/L	9 (1) 9 (1)	06/10/08 11:27 08/10/08 11:27 05/10/06 11:27
2,4,5-Trichlorophenol 2,4,6-Trichlorophenol 2,4-Ontrotolyans	و دارا و دارون استوانه المرافق الموادق و المرافق و و دارا و دارون المرافق المرافق و المرافق	A	gran to a	ND NO	0.050 0.050 0.050	**************************************	mg/L	4 * 1 4 * 1 1 * 1	05/10/05 11:27 05/10/05 11:27 05/10/05 11:27 05/16/05 11:27
2,4,5-Trichlorophenol 2,4,6-Trichlorophenol 2,4-Omitrotoluans 2-Mathylohenol	A control and sense of the entrol of the ent	A	Seedensensen, p Sym E V P Sym Hall E E V Sym Hall E E V Sy	NO NO	0.950 0.050 0.050 0.050	, , , , , , , , , , , , , , , , , , ,	mg/L mg/L mg/L	ター() 第一() 第一() 第一() [[]	08/18/08 11:27 08/18/08 11:27 05/18/08 11:27 08/18/08 11:27 03/18/08 11:27
2,4,5 Trichlorophenol 2,4,6 Trichlorophenol 2,4 Omitrotoluene - Mathyphenol 3/4-Mathyphenol	بران داد بر سند داد داد داد داد داد داد داد داد داد د	AAAA	grant and a	NO NO NO	0.050 0.050 0.050 0.050 0.050	, , , , , , , , , , , , , , , , , , ,	mg/L mg/L mg/L	7 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	06/16/06 11:27 08/16/06 11:27 05/16/06 11:27 05/16/06 11:27 05/16/06 11:27 05/16/06 11:27
2,4,5 Trichlorophenol 2,4,6 Trichlorophenol 2,4 Omitrotoluene 2 Methyphenol 3/4 Methyphenol lexachloroperzene	I ment als manth per per per a statut au mar properties de la companya del companya de la companya de la companya del companya de la companya de la companya de la companya del companya	AAAAAA	Section of the property of the	NO NO NO	0.050 0.050 0.050 0.050 0.050 0.050	**************************************	mg/L mg/L mg/L	4	05/16/05 11:27 05/16/05 17:27 05/16/05 11:27 05/16/05 11:27 05/16/05 11:27 05/16/05 11:27
2,4,5 Trichlorophanol 2,4,6 Trichlorophanol 2,4 Omitrotoluana 3,4 Omitrotoluana 3,4 Mathyphanol 1axachlorobenzana 1axachlorobenzana	I state all manels also and state of the same production of the same production of the same production of the same part of th	AAAAAAAAAA	Section to the section of the sectio	NO NO NO NO	0.950 0.050 0.050 0.050 0.050 0.050 0.050	, , , , , , , , , , , , , , , , , , ,	mg/L mg/L mg/L mg/L mg/L		08/18/08 11:27 05/18/08 11:27 05/18/08 11:27 05/18/08 11:27 05/18/08 11:27 05/18/08 11:27 05/18/08 11:27
2,4,5 Trichlorophanol 2,4,6 Trichlorophanol 2,4,6 Trichlorophanol 3,4 Omitrotoluana 3,4 Mathyphanol 4axachloroberzana 1axachloroburachana 1exachlorosuhana	A material de mande plan ann sende soutenir des principes de la company	AAAAAAAAAAAA	The second of th	NO N	0.950 0.050 0.050 0.050 0.050 0.050 0.050		mg/L mg/L mg/L mg/L mg/L mg/L		05/16/05 11:27 05/16/05 11:27 05/16/05 11:27 05/16/05 11:27 05/16/05 11:27 05/16/05 11:27 05/16/05 11:27
2,4,5 Trichlorophanol 2,4,6 Trichlorophanol 2,4 Onitrotoluana 3,4 Onitrotoluana 3,4 Mathyphanol 1axachloroberzana 1axachlorobutachana 1axachlorosuhana	I mente de mande plan entre trade destre desemble de la principal de la princi	AAAAAAAAA	And the control of th	AD AD AD AD	0.950 0.050 0.050 0.050 0.050 0.050 0.050 0.050	2 1 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2	mg/L mg/L mg/L mg/L mg/L mg/L		05/16/05 11:27 05/16/05 11:27 05/16/05 11:27 05/16/05 11:27 05/16/05 11:27 05/16/05 11:27 05/16/05 11:27
2,4,5 Trichlorophanol 2,4,6 Trichlorophanol 2,4,6 Trichlorophanol 2,4 Dinitrotoluana 3,4 Mathyphanol 1axachlorobanzana 1exachlorophanol 1exachlorophanol 1exachlorophanol 1entathlorophanol	A market also manelle plan early terral solution down probability of the control	AAAAAAAAAAA	A submitted of the subm	NO N	0,850 0,650 0,650 0,650 0,650 0,650 0,650 0,650 0,650 0,650 0,650	2 1 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2	mgi. mgi. mgi. mgi. mgi. mgi. mgi. mgi.		05/16/05 11:27 05/16/05 11:27 05/16/05 11:27 05/16/05 11:27 05/16/05 11:27 05/16/05 11:27 05/16/05 11:27
2,4,5 Trichlorophanol 2,4,6 Trichlorophanol 2,4,6 Trichlorophanol 2,4 Dinitrotoluana 3,4 Mathyphanol 1axachlorobanzana 1axachlorobanzana 1axachlorobanzana 1axachlorobanzana 1axachlorophanol	I mente da manda planent sende ubelita dono pribado,   " " " " " " " " " " " " " " " " " "	AAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAA	Andreas Angress	AD AD AD AD AD AD AD AD AD	0.850 0.650 0.650 0.650 0.650 0.650 0.650 0.650 0.650 0.650 0.650 0.650	2 1 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2	mgi. mgi. mgi. mgi. mgi. mgi. mgi. mgi.		05/16/05 11:27 05/16/05 11:27 05/16/05 11:27 05/16/05 11:27 05/16/05 11:27 05/16/05 11:27 05/16/05 11:27
2,4,5 Trichlorophanol 2,4,6 Trichlorophanol 2,4,6 Trichlorophanol 2,4 Dinitrotoluana 3,4 Mathyphanol 1axachlorobanzana 1axachlorobanzana 1axachlorobanzana 1axachlorobanzana 1axachlorophanol	I stand the manes of the entries of the standard of the standa	AAAAAAAAAAA	Andrews of the second of the s	NO N	0,850 0,650 0,650 0,650 0,650 0,650 0,650 0,650 0,650 0,650 0,650	2 1 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2	mgi. mgi. mgi. mgi. mgi. mgi. mgi. mgi.		08/19/08 11:27 08/19/08 17:27 08/19/08 17:27 08/19/08 17:27 08/19/08 17:27 08/19/08 17:27 08/19/08 17:27 08/19/08 17:27 08/19/08 17:27
2,4,5 Trichlorophanol 2,4,6 Trichlorophanol 2,4,6 Trichlorophanol 2,4 Dinitrotoluana 3,4 Mathyphanol 1axachlorobanzana 1exachlorophanol 1exachlorophanol 1exachlorophanol 1entathlorophanol	A special and manels after any special control of the special	AAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAA	A substitution of the second o	AD AD AD AD AD AD AD AD AD	0.850 0.650 0.650 0.650 0.650 0.650 0.650 0.650 0.650 0.650 0.650 0.650	1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	mgi. mgi. mgi. mgi. mgi. mgi. mgi. mgi.		08/18/08 11:27 08/18/08 11:27 08/18/08 11:27 08/18/08 11:27 08/18/08 11:27 08/18/08 11:27 08/18/08 11:27 08/18/08 11:27 08/18/08 11:27
2,4,5 Trichlorophanol 2,4,6 Trichlorophanol 2,4,6 Trichlorophanol 2,4 Dinitrotoluana 3,4 Mathylphanol 1axachlorobenzana 1axachlorobenzana 1axachlorobutaciana 1axachlorophanol	A control of the cont	AAAAAAAAAAA	47.9	AD AD AD AD AD AD AD AD AD	0.860 0.680 0.680 0.680 0.680 0.680 0.680 0.860 0.860 0.860 0.680 0.680	The state of the s	mg/L mg/L mg/L mg/L mg/L mg/L mg/L mg/L		08/18/08 11:27 08/18/08 11:27 08/18/08 11:27 08/18/08 11:27 08/18/08 11:27 08/18/08 11:27 08/18/08 11:27 08/18/08 11:27 08/18/08 11:27
2,4,5 Trichlorophenol 2,4,6 Trichlorophenol 2,4,6 Trichlorophenol 2,4,6 Trichlorophenol 2,4 Onlivotoluene 2 Methylphenol 3/4 Methylphenol 1exachlorobenzene 1exachlorophenol 2 entachlorophenol 3/4 Methylphenol 1exachlorophenol 3/4 Methylphenol 3	A material de manere ples entre trans absolute donne principo, en la participa de material de la participa de	A A A A A A A A A A A A A A A A A A A	40.7	AD AD AD AD AD AD AD AD AD	0.850 0.650 0.650 0.650 0.650 0.650 0.650 0.650 0.650 0.650 0.650 0.650 0.650	The second secon	med. mgd. mgd. mgd. mgd. mgd. mgd. mgd. mg		08/19/08 11:27 08/19/08 11:27
2,4,5 Trichlorophenol 2,4,6 Trichlorophenol 2,4,6 Trichlorophenol 2,4,6 Trichlorophenol 2,4 Onlivotoluene 2 Methylphenol 3/4 Methylphenol 1exachlorobenzene 1exachlorophenol 2 Methylphenol 2 Methylphenol 2 Methylphenol 3/4 Methy	A mentra da manera para estada abustario dimensi principio, se conserva del principio	A A A A A A A A A A A A A A A A A A A	40.7 47.8	AD AD AD AD AD AD AD AD AD	0.850 0.650 0.650 0.650 0.650 0.650 0.650 0.650 0.650 0.650 0.650 0.650 0.650 0.650	A STATE OF THE STA	mg/L mg/L mg/L mg/L mg/L mg/L mg/L mg/L		08/19/08 11:27 05/19/08 11:27 05/19/08 11:27 05/19/08 11:27 05/19/08 11:27 05/19/08 11:27 05/19/08 11:27 05/19/08 11:27 05/19/08 11:27 05/19/08 11:27
2,4,5 Trichlorophenol 2,4,6 Trichlorophenol 2,4,6 Trichlorophenol 2,4,6 Trichlorophenol 2,4 Onlivotoluene 2 Methylphenol 3/4 Methylphenol 1exachlorobenzene 1exachlorophenol 2 entachlorophenol 3/4 Methylphenol 1exachlorophenol 3/4 Methylphenol 3		A A A A A A A A A S S S S S S S	40.7	AD AD AD AD AD AD AD AD AD	0.850 0.650 0.650 0.650 0.650 0.650 0.650 0.650 0.650 0.650 0.650 0.650 0.650	A STATE OF THE STA	med. mgd. mgd. mgd. mgd. mgd. mgd. mgd. mg		08/19/08 11:27 08/19/08 11:27 08/19/08 11:27 08/19/08 11:27 08/19/08 11:27 08/19/08 11:27 08/19/08 11:27 08/19/08 11:27 08/19/08 11:27 08/19/08 11:27



Client: Client Project: Client Sample ID: Sample Description;	Midwest Bavironus Beta Steel / Portage BETACERT-06			200		on Date:	ME0605386-014 0.5/04/06 12:10
Sample Matrix:	Solid					eceived:	05/10/06 13:40
Analysta	V VIII VIII VIII VIII VIII VIII VIII V	ST	Result	RL	Qual	Unite I	P Analyzed
TCLP VOLATILES	Matho	d' 8W1811/820	iori	Pre	o Dale/77m	6: 03/11 <b>/0</b> 6 2	0:00 Analyai; CLA
Benzene	1	T A C	inol .	່ ດີ.ດີສົກ	3 41	g/L 1	
2-Butahane				0.10		g/L 1	and the many transfers
Carbon tetrachloride	444 4 52.5	~~ #\ A \	"MO	0.050	, !	g/L 1	
Chlorobenzene	1 W + 5 1	-1 A	AKES	0.050	in on	g/L 1	
Chloroferin	the population of the same same of	A	MD	0.050		<b>6</b> /L	to the first of the last of th
1,1-Dichlorosthene	tendinistina a radio seden di militari	~ "   "   "	Mo.	0.050	'' 't'm	ο/L 1	1 gutliffent attentieber
1.2-Diphlomothene			ATD.	0.050		g/L 1	
1 A Dichlorobenzene	HI Ffrancis place and	**	ND	d.asd		% " 1	
Tetradhlorosmene	-шин-т	_~, ,,, ,	MO	0,080 i		VI.	· · · · · · · · · · · · · · · · · · ·
Trichtoroethene	ه جدوس به معدد به معدد المعالية و مياند د المرابعة و		APP.		res e - des	// " "   "	
Vinyi objerice	*# 11 6 4MP 4	4 4		0.050		g/L	
Surr. 4-Bromotluoral	narrana	S 10		72.4-120	5	ŘEC 1	
Sur: Dibromoliverer		" f" g" sa.		\$0.2-1251	1	REC 1	
. Sur: Toluene-da		S 10	1	83 s-117		AEC' in	
	i harantan adali					:	1 2 2 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1
Suir: 1,2-Dichloroein COPEN CILIBATINE		. 6 " e 7. : 092-20 MOD	€ ,	74,4:132; Pra	.%. a Date/Tim		0   06/12/06 17:0 Analyst: BR
pagability	Al. A. Predekik Pis seconoco	[ A ]	2170	30	, eb.	-	05/16/08 12:30



#### FLAGS FOOTNOTES AND ABBREVIATIONS (as seeded)

NA	¥5,	Not Ansiyaad	NA	¥	Not Applicable			
ing/L	蛇	Millyrares per Liter (open)	ugiL,	<b>8</b> 51	Micrograms per Litar (ppb)	cfu	30	Colony Perming Unit
my Re	100	Milligrams per Kilogram (ppm)	ustre	=	Merograms par Kilogram (ppb)	ag/L	354	Nanograms per Liter (4p1)
υ	30	Undetocted			,			
		Sankan numunaanian daarii de i			455 M. A 1 . 1 . 1			

J = Analyte consumuoilos desected between RL and MDL (Metals / Organics)

B = District in the associated Method Blank at a componentiation above the mutice PULIKL

b 😑 Delected in the neacontrol delethed Blank at a concentration above the depthod Detection Limit but less than the contine PQL/AL.

D = Surrogais recoverior sire not calculated due to earnple dilution

ND = Not Detected at the Reporting Limit for the Method Detection Limit, if fished)

B - Value above grantitation range

H = Analyse was prepared analysed ourside of the analytical method holding time

l = Matrix inverferonce

R = RPD outside accepted recovery limits

3 = Esike recovery putaling recovery kimits

Sur = Surveyale

DF - Dilution Pactor RL - Reporting Limit 5T - Sumple Type MDL - Method Detection Limit

#### SAMPLE TYPES

- A = Analyno
  - Internal Standard
- S 😕 Suttugaça
- = Tanlatively Merrifled Compound (TiC, concentration (utimated)

#### OC SAMPLE IDENTIFICATIONS

970000000000000000000000000000000000000	E LONG WATER	2				•		
Mølk	194	Mehod Blank	icsa	PD:	Interference Check Besiderd "A"	ofr	æ	Ongoing Predictor and
DUP	20	Method Duplicate	<b>ICSAB</b>	=	Instrument Check Standard "AB"			Recovery Implement
LCS	<b>6</b> 8€	Laboratory Control Sample	LCAD	¥	Laboratory Control Sample Ouplicate			
Mis	20	Wistria Spika	Myd	<b>±</b>	Maria Splice Duplicate			
200	102	initial Cullbration-Blank	COM	25	Continuing Calibration Black			
<b>XCA</b>	嵩	bilitial Calibration Verification	CCV	×	Continuing Calibration Verification			
PDS	m	Post Oigenion öpika	\$D	<b>⊈</b> 3	Serial Diluden			
				_			ور بسندی زی	

#### CARTIFICATIONS

Betwe is a fix of certifications maintained by the Microbac Matrifivile Laboratory. All data included in this report has been reviewed for and meets all project modific and quality control requirements of the applicable accreditation, where according popular pop

- Plimbs EPA for the analysis westerester and solid wase in accordance with the requirements of the National Stellars Indianal Laboratory Augustian Program [NBLAP] (secreditation #100435)
- Illnois Department of Public Health for the microbiological analysis of denking water (registry #175458)
- Indiana DEM approved support inborniory for solid wants and wasteward analyses
- Indiana SDH for the obsmical analysis of delaking water (Int #C-45-02)
- . Indiana SDN for the relarcisioningical analysis of drinking water (led &M-0.02)
- Remarky EFFC for the analysis of samples applicable to the Underground Storage Tank program (lab #1061)
- North Carolina DENK for the enviconmental analysis for NPDES afficant, surface water, groundwater, and presence an equiphona (aexisticate 497)
- Wisconum DNR for the chemical analysis of wastewater and solid waste (tab #998036710)

#### MICROBACLOCATIONS

Corporate	-	Wuxifurd, PA	Camp Mil Division	-	Comp Hill PA
Paudurgh Division		Wermerie, PA	Know the Division	- '	Maryville. "IN
Bete Bêrkipa		Eda, PA/Wikar-Bayne PA	Vegles Divisina		Vuiden, FL / North Styres. FL
New Coate Division		New Castle, PA	South Continu Division	-	Per Brenen. BC
Receively Testing Division		Lepleville, KY / Community, thi	Payetterins (Tirks) on		Imprementary PAC
diamochesits Blylsisis	-	Mariburo, NA	Southern Terling Division	-	WILLOW NC
Guerova Division		Multimore, MID	Keiner Division		Hovier, CO
Carona Division	•	Corpus, CA	Priend Leboratory		Waverly, NY
South Juney Division		Theregylie, NJ			

COOLER INSPECTION

Tuesday, May 16, 2005

Debar



Cibri Name MOWEST SAVIRONNENTAL	•		Deta / Time		endres lango pu
Work Order Number 6820805956			Received by	y DP	
Checklisi complated by DP 5/	0/2008 1:44:17 PM		d bawaivar	y KL	5/11/2006 5:29:27 PM
	Carrier name	Client Delivi	2000		
Alter-Hour Arrival?	•	ves 🗍	No 🗹		
Problemo beog ni reledo/renistros gnigging	•	/es 🗀	No 🗀	Not Present	Ø
Custody asals intact on shippoing container/c	r Preloc	/ss 🖸	Não 🗀	Not Present	<b>\bar{\bar{\bar{\bar{\bar{\bar{\bar{</b>
Custody seels intact on sample buntles?		/95 🔲	No 🗀	Not Present	
Chain of custody present?		rea 🗹	No 🗀		
Chain of quatody included sufficient offent ider		(es 🗭	Bato 🗀		
Chain of our lody included sufficient sample of		es 🔛	No 🗀		
Chain of custody included a sample description		os 🗹	Na 🔔		
Chain of custody agrees with sample labels?		'6e 🛃	No 🛄		
Chain of busindy literalised the appropriate ma		98 BZ	No 🖳		
Chain of custody instructed date of collection?		'es 🔛	No L		
Chain of austody included time of adjection?			No 🖂		
Chain of custody identified the appropriate nur		<u></u>	№ □		
Samples in proper container/bottle? Sample containers intact?		n Z	No [		
Sufficiant sample volume for indicated test?			No L		
All semples received within holding time?	•	Approx.	Na 🔲		
Chain of custody identified the appropriate pre-		es 🙎	₩0 L ₩0 <b>M</b> Z		
Samples properly preserved?		es 🗹	No C		
It No.	sdjusjed by?		Date/Time		
Chain of custody included the requested analys	ec? Y	es 🗹	No 🗀	1	-
Chain of custody signed when refinquished end		es <b>2</b>	No 🗇		
Semples received on Ice?			No 🗹		
Content/Temp Blank temperature		Temo:	70		
YOA visis have zero Headspace?	No VOA viels submitte		Yes 🔲	No 🗆	
eny "no" evaluation (excluding andi-Ho	e seed man de la companie	N 4557 540	mematiani		
Zeperal Commente:		APABLA I MA	1		
Sample ID Client Sample ID			Commente		
		<del></del>	Sh.A	-	

	approximate the	-		e de Care			gatteren	47.					T		ineriaeriae finalisia		was a summer			7	researching		gassi
MOTOTOMICONSTRUMENTO OF THE PROPERTY OF THE PR	. F) Execution	. [] Level 18 CUP-Mos	() Level P CD P-ame		2782		THE STATE OF THE S		المراجعة المراجعة	Wind		,				A COLUMN TO THE		A. Printer	DATATIVE			100/20/00	projection and the second of t
	Provide Only	Lavel	. News	CEDIO	S.		y) (W) University						-					1 Robert		-		The state of the s	
- Marine		***************************************	5		Mar Phones #		A, Other (spec)	130 mg	\$ 677Z									Surfaction States	A (signature	She Selbentestati		Transfer Co.	financians transform the fellows
Thewerenessed (1)	e (7 working da	(mastery lates)	2 0	(fa proposal)		(addinest)	odum Thinsell					,		ans.				Then we see	Received			Z	
All Company of Linear Company of the		- 19 ES	2			[ a-med	Valer (SVM), TWA Beautata, (4) S	Parson 4	TEATIVE A		,							Minneson				80	NV cervoyane of temporal Access (A
Contract (texters are an			No.				Suffer of A									1	H	+					a designation de la constante
1	E TO		Hyerti (		N		Matherali, (	PERM	DES SWIT	12		_						and second space of the second	K		roman Eg	(arra)	senial Mennik diperiol (diperio
CT B	Series .		Manharini	rugregga	or Streeter		DWL Grass	paros	ileo sago	88 13 13							ŀ	Der Kenneller				they (color	sacondependencial
A CH	C For			A CTUDE	Street,	2000	100		Histad	-			-			_	$\vdash$	4					NAME OF TAXABLE SALES
F	-	R	8	Z.	1	_	NO.	7			1	1	-			<u> </u>							manatural ka
	1		-			SX (Sev) 4	<b>多</b>		Heria.	N						ļ							Market Street,
Midwe	7	0	Ş	ONI - 424 semandage.	immused by (minut) Ken hald	) pawi 12 rya		WY CONTROL	Cheri Berra	BETA CERT - ON	- AVI			The second control of			-	William W.			·	Sentole temperature cares receipt to discusse C.s.	becommended the company of the first section of the
Qiilli Oggano Oggano	wee , in	智 智 目	iviri [][	okp Hei	ient Mill	a 5 U III	17/20 14/11				- Proposition land		C. Mar Y						Pag	e 8 ·	of B		
	Midwest Ew. Inc. proper	Widness Ew. The Propert Retail Steel mountains time mounty	Widthest Edw. Inc. Project Project Specific Turners of Turners of The Archive Types (1905 Colonial prise 1904 1904 1904)   1904 1904 1904 1904 1904 1904 1904 1904	Midwest Elw. Inc. The Protect Related Steed. Theremone the American the American the American the American the American the American the Influence of Inc. The Inc. T	Midwest Eliv. In. Protect Re-to Seed. Theremone the mountains the mountains the mountains of the manual time to the manual time time time time time time time time	MidWest Elw. Inc Protect Resta Seed. Turnarand the Residentify of Colorism of the Residentify of Colorism of Color	Marie Mightest Cale In Project Reta Seed. The manuser time steps: The seed of the second of the seed o	MidWest Elw. In. Protection Parlace Is Seed. Theremore the American the American Throat Throat Throat Computation (1900 - 1900 -	MidNess Elv. In. Protection Parlace Is Seed. The Thermonist The American Three Americans Three Islands (1900 a Compliance Montharing's 13 Vertil 13 No. 11 Filest Team's Level 11 (1900 a Sample Standard 13 Vertil 13 No. 11 Filest Team's Level 11 (1900 a Sample Standard 13 No. 11 Filest Team's Level 11 (1900 a Sample Standard 13 No. 11 Filest Team's Level 12 (1900 a Sample Standard 13 No. 11 Filest Team's Level 14 No. 11 Filest Team's Level 15 No. 11 Fil	Midwest Clusion and Project Pacific 19 Seed Thurston (19 Medical 19 Seed)  Whouls of continue and the project Pacific 19 Seed Through (19 Medical 19 Seed)  Whouls of Clusion and Complement Mandaring (19 Vest) (19 Medical 19 Seed 1	Wild Mark Color Law Inc. Inc. Project 12-19 Sect. Transmitted through the project 12-19 Sect. Inc. Transmitted through the project 12-19 Sect. Inc. Inc. Inc. Inc. Inc. Inc. Inc. Inc	Complete   Cale   Internation   Cale   Cal	Williamed Colorington And Lecetion Parison Coloring Control of	Published   Calabada   Publish   P	PLOMES CALL LAN. The Project Table 20 Thermore Those Thomas to the Project Table 20 Thermore Those Thomas to the Project Table 20 Thermore Thomas to the Table 20 Thermore Thermore Thermore Thermore Table 20 Thermore Thermore Table 20 Thermore Thermore Table 20 Thermore Thermore Table 20 Thermore 20	Wild Mark T. Coloris large state. The project To Finder. To Finder	Wildlay of Education of the Conference of the Co	Wild Work File. Leave Land. Product File 2 for Signal. Transment time support Transment time apport Transment time of the Land Line of the Land Line of the Land Line of the Land Line of the Line of the Land Lin	Wildhard Edu. Ide.  Wildhard Edu.  Wildhard Ed	Problem (1982) Colora long which the proper of the control of the color of the colo	Problem (1) Secretary (1) No. C. Collection (1) No. C.	High Hold   Call of Lang   And   Case   Call of Lang   Case   Call of Lang   Case   Call of Lang   Case	Michael   Ellis Total   Internation   Parish   Secret



Appendix 2

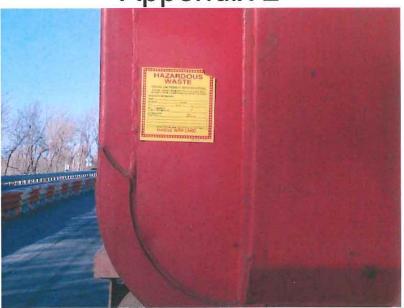


Figure 1: New label on vacuum box



Figure 2: New label on vacuum box

PHONE: 219-787-8200 FAX: 219-787-8725



# Appendix 5: An example of a properly labeled used oil container



Figure 3: Properly labeled used oil containers. This site is located inside the facility building.



## Appendix 6.1: Spill Kit Example



Figure 4: Example of typical spill kits deployed around the facility in high risk areas, 10 total. These are to be used to control oil releases, to limit the extent of releases and to aid in cleanup activities. This intersects with SPCC requirements.

PHONE: 219-787-8200

FAX: 219-787-8725



### Appendix 6.2:

# Sample page 1 of 4 from regular inspection checklist currently being used

(N	LMK)	INDIANA
		Member of NLMK Group

Monthly Facility Storm Water Inspection-NPDES Permit #IN0059714

Month	

PHONE: 219-787-8200

FAX: 219-787-8725

#### Instructions:

Physically inspect all NLMK sites external to buildings that are exposed to industrial activity and document as indicated for the conditions listed below. The normal state of most items should be "No". This inspection covers both Storm Water Pollution Prevention Plan (SWPPP) and Spill Prevention Control and Countermeasures (SPCC) plan conditions. The inspection route is arranged geographically. Take immediate action to prevent an active spill from reaching the storm sewer system. Shaded lines are HIGH RISK areas to pay particular attention to.

		()	Follow Up	
Location	Condition to Inspect for	Y(N)	Activities Required	Comments
HSM - South End, doors 1 - 2	Mobile equipment repair area: Gross amounts of oils or other chemicals on ground			
HSM - South End, doors 1 - 2	Building skirting: Oil or chemicals seeping under from inside			
HSM - South End. doors 1 - 2	Stone area: New oil or chemicals since last inspection not cleaned up			
HSM - South End, doors 1 - 2	Door 1: Totes leaking onto floor at inside storage area			
HSM - South End. doors 1 - 2	FH2.3 Hydraulic leaks that can make it outside the building			
HSM - South End, doors 1 - 2	Roadway: New oil or chemicals since last inspection, catch basin conditions			
HSM – South End, doors 1 – 2	Spill let intect and stocked correctly			
HSM - West side doors 3 - 7	Stone area incide fence: New oil or chemicals since last impection			
HSM - West side doors 3 - 7	SW parking area: Catch basin and storm sewer manholes no oils or chemicals, debris build up			
HSM – West side doors 3 – 7	West Roadway: Catch basin spill control filters intact and clean. Consider replacing semi-annually.			
HSM - West side doors 3 - 7	FM cooling tower walls: Oils or sludge outside	and the second		
HSM - West side doors 3 - 7	FM Cooling Tower perimeter: Oils or sludge on ground			
HSM – West side doors 3 – 7	FM Cooling Tower: Oil skimmer container leaking, overflowing			
HSM – West side doors 3 – 7	FM Cooling Tower: Spill kit intact and stocked correctly			
HSM - West side doors 3 - 7	Transformer room doors: Oil seeping under			
Inspected by:			Date:	

Figure 5: This is page 1 of 4 of an inspection intended to audit conditions on the ground and of storm water conveyances

IN0984904 466

#### NLMK Indiana Enforcement Conference January 30, 2013 Chicago, Illinois

	Name	Affilia	tion	Title	Phone
	TERRY LAND		A I	DIRECTOR OPS	219-512-236
	RERT PASSALACA	JA N	ILMK	ENV. WORD.	219 798 0148
	Terri CZAJKA	Ice Mil	NLMK	coursel	317-236-
	Van Chachalis	EPA RO	LRA	EPS	312-886-9871
	Joe 41Fis	USEPA	- 5966	env. engineer	312-353-820
	Eleanor Kane	USEPA -	CAA	env. engineer	312-353-4841
	LES CHAPMAN	) COS Envi	ronmental	Presidon	219-983-140
	Keith Middleton		Vater	ens. Chijiner-	712-826-6465
	Sara Breneman	USEPA		Chief, AECABUMI)	312-886-0243
	Susantenverb	UM EPA	ħ.	affy	312-886-02
	Jim Skubak	by phou	e.	/	
	W W	/ 1			•
	NI MK INDI	ANA			
	Member of N	LMK Group			i i
ΛΔΙΓ	BERT PASSALACO	QUA al engineer			
		IONE (219) 787-6426			31
3E, 1		DBILE (219) 798-0148	54		all a
	1				E-DESCRIPTION OF THE PERSON OF



TERRY LAIRD
DIRECTOR OF OPERATIONS

6500 SOUTH BOUNDARY ROAD PORTAGE, INDIANA 46368 tlaird@us.nlmk.com PHONE (219) 787-6472 FAX (219) 787-8006 CELL (219) 512-2361



January 16, 2013

Mr. Daniel Chachakis Environmental Protection Agency, Region 5 77 West Jackson Boulevard, LR-8J Chicago, IL 60604

Re. Notice of Violation
NLMK Indiana
EPA ID No.: IND984904466

Dear Mr. Chachakis:

On December 26, 2012, NLMK Indiana received from the United States Environmental Protection Agency ("EPA") a December 19, 2012 letter outlining a Notice of Violation ("N.O.V.") as the result of a multi-media inspection conducted at this facility in June of 2012. Specifically, this N.O.V. is related to allegations regarding hazardous waste operations and conditions. The N.O.V. requested a response within 30 days of receipt. This written response is timely and, as requested, details actions that have been taken and will be taken to demonstrate compliance with the alleged conditions and requirements outlined in the N.O.V. NLMK Indiana's response to EPA is not an admission of any alleged fact or violation and should not be construed as such. NLMK Indiana considers this response to be part of ongoing settlement discussions between EPA and NLMK Indiana. It is the intent and policy of NLMK Indiana to fully comply with applicable regulations.

The N.O.V. contains six (6) allegations, each requesting a response. This response letter repeats each allegation as arranged in the N.O.V. followed by a response:

1. A large quantity generator must determine whether its waste is hazardous. See, 329 IAC 3.1-7-1; 40 C.F.R. § 262.11. At the time of the inspection, NLMK had not determined whether the following wastes are hazardous: waste dust from the storage areas of the facility floor (that is not added back into the process), waste aerosol cans, or waste polyfloc. In addition, waste profile "002830 Swarf" describes the waste content as "swarf" without additional analysis; and waste profile "104043IN" describes scale pit sludge content as "sludge" without additional analysis. NLMK, therefore, violated the above-referenced generator requirement.

#### Response:

Regarding the allegation that NLMK Indiana has not determined whether "waste dust from the storage areas of the facility floor" is a hazardous waste: Based on EPA'S RCRA Compliance Evaluation Inspection Report (the "Report"), NLMK Indiana understands EPA to be referring to dust EPA's inspector observed on the main floor of the Melt Shop that is not added back into the process. Based on the observations of its employees, NLMK Indiana reasonably believes that any dust on the main floor of the Melt Shop that is not added back into the process is not a solid waste as that term is defined in 40 C.F.R. § 261.2. Rather, it is road dust/dirt that is tracked into the facility on the wheels of mobile units.

Not Necessals Empty Regarding the allegation that NLMK Indiana has not determined whether waste aerosol cans are hazardous waste: Based on the discussion during EPA's closing conference, NLMK Indiana understands that EPA was primarily concerned about empty aerosol cans that had contained contact cleaner, trichloroethylene greater than 10%, and are disposed of with NLMK Indiana's regular trash. It is our understanding that these waste aerosol cans could be considered a hazardous waste if their contents were "not emptied from the container using practices commonly employed to remove materials" from this type of container. NLMK Indiana reasonably believes that these containers are emptied using common practices. Nonetheless, NLMK Indiana proposes to closely monitor these particular aerosol cans and to collect the empty cans to ensure they are empty prior to being disposed of in

PHONE: 219-787-8200

FAX: 219-787-8725



the regular trash or deposited in scrap metal containers destined to be recycled at the facility's Melt Shop per 40 C.F.R. § 261.6(a)(3)(ii). The majority of NLMK Indiana's empty aerosol cans fall into the household use exemption and are either recycled on-site or deposited in the regular trash.

Regarding the allegation that NLMK Indiana has not determined whether a barrel supposedly containing waste polyfloc is a hazardous waste: NLMK Indiana has determined that the barrel marked "waste polyfloc" that appears in the Report did not in fact contain waste polyfloc and that the barrel was mistakenly marked. The barrel actually contained skimmed used oil. This barrel has been removed from the facility.

Regarding the allegation that NLMK Indiana did not determine whether swarf is a hazardous waste: NLMK Indiana is enclosing analytical results on samples of its swarf dated March 2, 2012, April 17, 2009, and April 26, 2005. These analyses demonstrate that NLMK Indiana has determined whether or not the swarf is hazardous and that it is not a hazardous waste. NLMK Indiana believes these samples are fairly representative of its swarf. Please see Appendix 1.1.

Regarding the allegation that NLMK Indiana did not determine whether scale pit sludge is a hazardous waste: NLMK Indiana is enclosing analytical results dated May 16, 2006 that demonstrate that NLMK Indiana has determined whether or not the scale pit sludge is hazardous and that it is not a hazardous waste. NLMK Indiana's processes have not changed. Please see Appendix 1.2.

2. In order to avoid the need for a hazardous waste storage permit, a large quantity generator using containers to store hazardous waste must label or mark the container with the words "Hazardous Waste" and the date upon which each period of accumulation begins. See, 329 IAC 3.1-7-1; 40 C.F.R. § 262.34(a)(2) and (3). At the time of the inspection, NLMK did not label or mark the container associated with the vacuum truck with the words "Hazardous Waste" or include the date upon which accumulation began. NLMK, therefore, failed to comply with the above-mentioned condition for a hazardous waste storage permit exemption, and violated the container management requirement.

#### Response:

NLMK Indiana contends that these vacuum boxes are not used as storage containers per se and, instead, are part of the cleaning process followed to empty the bag house. The duration and frequency of these cleaning operations is approximately 8-12 hours every other week. Any material moved into the vacuum boxes is immediately transported off-site, in compliance with the RCRA regulations, for reclamation and is not stored.

Regardless of the above statement, we have applied "Hazardous Waste" labels to the vacuum boxes and can now record accumulation start dates. Images of this task's completion are attached here for your examination. Please see Appendix 2.

3. In order to avoid the need for a hazardous waste storage permit, a large quantity generator must maintain a written description of the type and amount of both introductory and continuing training that will be given to each position related to hazardous waste management. See, 329 IAC 3.1-7-1; 329 IAC 3.1-10-1; 40 C.F.R. § 262.34(a)(4); 40 C.F.R. § 265.16(d)(3). This is also a requirement of owners and operators of hazardous waste storage facilities, under 329 IAC 3.1-9-1 and 40 C.F.R. § 264.16(d)(3). At the time of the inspection, NLMK did not have a written description of the type and amount of both introductory and continuing training that will be given to each position related to hazardous waste management. NLMK, therefore, failed to comply with the above-mentioned condition for a hazardous waste storage permit exemption, and personnel training requirement.

#### Response:

NLMK Indiana will publish the written description of its introductory and continuing training plan for positions related to hazardous waste management. This description will be delivered to your attention before the end of the first quarter of 2013.

4. In order to avoid the need for a hazardous waste storage permit, a large quantity generator must maintain in its contingency plan, the home address of the emergency coordinator, an emergency equipment list that includes an outline of the capabilities of each

PHONE: 219-787-8200 FAX: 219-787-8725



item of equipment, plans to address spills of hazardous waste, and an indication that the plan was submitted to off-site emergency responders. See, 329 IAC 3.1-7-1; 329 IAC 3.1-10-1; 40 C.F.R. § 262.34(a)(4); 40 C.F.R. Part 265, Subpart D. This is also a requirement of owners and operators of hazardous waste storage facilities, under 329 IAC 3.1-9-1 and 40 C.F.R. Part 264, Subpart D. At the time of the inspection, NLMK's contingency plan did not include the home address of the emergency coordinator; did have an emergency equipment list, but not an outline of the capabilities of each item of equipment; did have plans to address spills, but not spills of K061 hazardous waste; and there were no records indicating that the plan was submitted to all local police departments, fire departments, and state and local emergency response teams that may be called upon to provide emergency services. NLMK, therefore, failed to comply with the above-mentioned condition for a hazardous waste storage permit exemption, and the contingency plan and emergency procedures requirements.

#### Response:

The Hazardous Waste Contingency Plan will be revised to include corrections and delivered to your attention before the end of the first quarter of 2013.

5. Used oil generators must clearly label or mark containers and above-ground storage tanks used to store used oil with the words "Used Oil." See, 329 IAC 13-4-3; 40 C.F.R. § 279.22(c)(1). At the time of the inspection, NLMK had used oil containers marked with the words "Bad Oil" and "Waste Oil." NLMK, therefore, failed to meet the condition of the used oil generator requirement.

#### Response:

All non-conforming used oil containers have been relabeled and appropriate personnel have been contacted for training in this regard. An image of an example of a properly labeled container is attached for your examination. Please see Appendix 5.

6. Used oil generators, upon detection of a release of used oil to the environment, must clean and manage properly the released used oil and other materials. See, 329 IAC 13-4-3; 40 C.F.R. § 279.22(d)(3). At the time of the inspection, NLMK had "small" releases of used oil within the facility and on property controlled by both NLMK and its tenant, Tube City IMS Corporation. NLMK, therefore, failed to meet the condition of the used oil generator requirement.

#### Response:

NLMK Indiana does properly manage and clean releases of used oil as they are detected, but is improving its process and procedures. As part of a revision to NLMK Indiana's Spill Prevention Control and Countermeasures Plan (SPCC), we have deployed new spill control kits in high risk areas around the facility. Please see Appendix 6.1 for an example image. We have also implemented regular inspections to physically audit the effectiveness of day to day efforts to detect and correct issues that arise. Please see Appendix 6.2 for an example page of the program that has been implemented. Additionally, we intend to specify and install secondary containment for our used oil storage location.

Summary of future activities and commitments:

- 1. A written description of the type and amount of introductory and continuing training will be delivered to your attention by March 31, 2013.
- 2. The Hazardous Waste Contingency Plan will be revised to include requested items and will be delivered to your attention by March 31, 2013.

Again, NLMK Indiana is committed to pursuing and fulfilling our environmental compliance obligations. We have been implementing standardization of our environmental policies and tasks, including additional continuous improvement activities, to enhance our abilities to comply with our regulatory responsibilities. We appreciate the opportunity to respond to your allegations and

PHONE: 219-787-8200

FAX: 219-787-8725



trust that this letter will serve to adequately address concerns highlighted in the N.O.V. Please contact me with any questions or comments.

Sincerely,

Bert Passalacqua

**Environmental Engineer** 

cc:

Nancy Johnston, IDEM

Les Chapman, OCS Environmental

Terri Czajka, Ice Miller

www.us.nlmk.com

PHONE: 219-787-8200 FAX: 219-787-8725



Appendix 1.1: Swarf Analytical Results

PHONE: 219-787-8200

FAX: 219-787-8725

Mr. Kevin Perkins

Waste Management / Superior Waste Systems

20645 Ireland Road

South Bend, IN 46614

Tel No: 574-546-4475

Fax No: 574-546-6189

PO No:

Project Name: Beta Steel

Report Date:

4/28/05

El8 Order No:

080400124

EIS Sample No:

102563

EIS Project No:

3079-1000-05

Client Sample ID:

Grinding Swarf

Dale Collected;

4/14/05

Date Received:

4/18/05

Collected By:

Client

This report presents results of analysis for your sample(s) received under our Order No above. This Number is to be used in all inquiries concerning this report. The EIS Sample No above, as well as your Sample ID, refer to the first sample in a multi-sample submission

#### DEFINITIONS:

MDL = Method Detection Limit normally achieved in the absence of Interferences or other matrix difficulties.

RDL = Reporting Detection Limit achieved in your sample. If numerically greater than the MDL, dilutions were required in order to perform the analysis. If numerically less than the MDL, alternate techniques were employed.

Not Detected at the RDL value, if present, result is less than this value.

= Not Detected at the numerical value shown; if present, result is less than this value.

[ ] = Result is Estimated due to matrix interferences or calibration curve exceedence.

CHAIN-OF-CUSTODY is enclosed if received with your sample aubmission.

DRINKING WATER CERTIFICATIONS: Chemistry = C-71-02 Bacteriology = M-78-5

The data in this report has been reviewed and complies with EIS Quality Control unless specifically addressed above.

BIS Analytical Services Inc

1701 N. Ironwood Drive, Suite B \* South Bend, IN 46635 \* Tol: 574-277-0707 \* Fax: 574-273-6599

#### SAMPLE RESULTS

Page 2 of 2

CLIENT SAMPLE ID: Grinding Swarf CLIENT FROJECT:

SAMPLE TYPE:

Beta Steel Spil/Sludge/Solid

Date Collected:

4/14/05

Report Date:

EIS Sample Not 102563

EIS Order No: 050400124

Date Received: 4/18/08

Parameter	Results	Units	RDL	MOL	Test Date	Analyst ID	Method
Digest Mercury(TCLP Extract)	Complete				4/21/05	€09	7470
Digest ICP Metals(TCLP Extract)	Complete				4/20/05	E09	3005 A
TCLP Extraction	Complete				4/19/05	EOB	1311
TCLP METALS ,							
Arsenic,TCLP	<0.1	mg/L	0.1	0.1	4/20/05	E09	6010
Barlum, TCLP	0.34	mg/L	0.01	0.01	4/20/05	E09	8010
Cadmium,TCLP	<0.02	mg/L	0.02 ·	0.02	4/20/05	E09	6010
Chromlum,TCLP	<0.02	mg/L.	0.02	0.02	4/20/05	EOB	6010
Lead,TCLP	<0.05	mg/L	0,05	0.05	4/20/05	E09	6010
Mercury,TCLP	<0.001	mg/L	0.001	0,001	4/22/05	E09	7470
Selenium,TCLP	<0.1	mg/L	0.1	0.1	4/20/05	E09	6010
Silver,TCLP	<0.01	mg/L	0,01	0.005	4/20/05	E09	6010

							CHA	IN OF	CUSTOD	RE	COF	D_	<b>.</b>						
PE	alenier				JECT NAM BEY	9-∑]~ce -	}		Total No.	-	<del></del>	/5	(3)		/			Lab	Order ID
SAMPLE	•	Name &	_	·		<u> </u>			of		) 3	/\$**	/		/	/		05	84.124
FIELD ID	DATE	TIME	O M	G R A B	STATION	LOCATION			Con- tainers	/							Sample Type	TAT	Lab Number
	1/1/1/05	11:15	_	χ	GRIM	<u>ద్వా</u> వ	CH ON	F _	1	1									102563
-	1							· · · · · · · · · · · · · · · · · · ·		1			!				<del></del>		
			-	_															
			-	-									_						
						. /												ļ	
	<del> </del>	<del>                                     </del>	_	-	X 1	_	n Pe		50 UT	77	144	54X	-<	JX9	_	-	<u> </u>		
			-	-	<b></b>	BX		5/05	<del></del>	> <i>1</i>	1-	12 1		73)	_	-	<u> </u>	1	
			Ţ		K B				everview	IR	RJ								
Polingui	shed By:	Sinoate	Fol		<u> </u>	Date	Fine		ved By: (S	ional	iral	<u></u>	<u>L</u> .	<u></u>	I ET		IOTE NO:		<u> </u>
Kemidar	Leu	udd)	v. Vil	ر او فر	يل	1/18/05	ł .		an 51	_	-					ט ענג	1012110.		
	shed By:					Date	Time	Recei	ved By; (S	gnat	ure)	<del></del>		····	Sh	ip Ti	o:		
Relinqui	shed By:	(Signatu	re)			Date	Time	Rece	ved By: (S	ignat	ture)		<u></u>						

NOTES: 1) If you were issued a quote number, it must appear on this document.
2) Instructions & area for comments are on reverse side.

## TCLP AND HAZARDOUS WASTE CHARACTERIZATION REGULATORY LIMITS

*******	USEPA	RL	, OL	1	USEPA	RI.	DL
Hazar	dous Waste Constituent	(mg/l)	(mg/l)	Hazar	dous Waste Constituent	(mg/l)	(mg/l)
	TILE ORGANICS		1		METALS	ì	-
D018	Benzene	0.5	0.02	D004	Arsenic	5.0	0.05
D019	Carbon Tetrachloride	0.5	0.02	D005	Bariem	100,0	0.01
D021	Chlarobenzene	100,0	0.02	D006	Cadmium	1.0	0.01
D022	Chloroform	6.0	0.02	D007	Chromlum	5.D	0.01
D027	1,4-Dichiorobenzene	7,5	0.02	D008	Lead	5.0	0.05
D028	1,2-Dichlorosthane	0,5	0.02	D009	Mercury	0.2	0.001
D029	1,1-Dichloroethylene	0.7	0,02	D010	Selenium	1.0	0,05
D035	Methyl Ethyl Kelone	200.0	0.02	D011	Silver	5.0	0.01
0039	Tetrachloroethylene	0.7	0.02	1		İ	
D040	Trichloroethylene	0.5	0.02	MISCE	LLANEOUS		
D043	Vinyl Chloride	0.2	0.1	D001	IgnItability (°F)	<140	<b></b> -
1				D002	Carrosivity (SU)	2 - 12.5	P-yeller
SEMI-	VOLATILE ORGANICS			D003	Cyanide (Reactivity)(ppm)	250	10.0
D023	o-Cresol	200,0	0.1	D003	Suifide (Reactivity)(ppm)	500	10.0
D024	m-Cresol	200,0	0.1	Ì	Paini Filter Liquids (mi/6min)	0	Ö
D025	p-Cresol	200.0	0.1				
D026	Total Cresols	200,0	0.3	Ì			
D030	2,4-Dinitrotoluene	0,13	0,1				ļ
D032	Hexachlorobanzene	0.13	0.1				
D033	Hexachloro-1,3-butadlene	0.5	0.1	ĺ			
D034	Hexachloroethana	3,0	0.1		j		
D036	Nitrobenzene	2.0	0.1				
D037	Pentachlorophenol	100,0	1,0				
D038	Pyridine	5,0	0.1				
D041	2,4,5-Trichlorophenol	400.0	1.0	•	i		
D042	2,4,6-Trichlorophenol	2.0	0,1		1		
				i			ĺ
	CIDES AND HERBICIDES			!		ļ	
D020	Chlordane	0.03	10.0			Į	
D012	Endrin	0.02	0.005				
0031	Heptachlor (& expoxides)	0.008	0.004				
D013	Lindane	0,4	0.006				•
D014	Methoxychlor	10.0	0.01				
0015	Тохарћене	0.5	0.05		·		
D016	2,4-D	10.0	0.005			.	ļ
0017	2,4,5-TP (Silvex)	1.0	0.05				

<u>Legend</u>
RL = Regulatory Limit
DL = Detection limit of test barring interferences in the aqueous extract.

SW-846 Test Methods	
Volatile Organics	8260
Semi-volatiles	8270
Pesticides	8081
Herbicides	8151
Metals	6010
Mercury	7470
Ignita bility	1010
Corresivity	9040
Cyanide	Ch≁7
Sulfide	Ch-7
TCLP/ZHE Extraction	1311
Paint Filter Liquid	9095

TCLP&HW Char (Rev 9-15-03)

3871 Cleveland Road Suite 100A South Band Indiana 48828 574-277-0707

Tom Olson
Beta Steel Corporation
6600 S, Boundary Road
Portage, IN 46365
TBL:
FAX:

RB: WM Renewal

Dear Tom Olson:

April 17, 2009 Order No.: B09040017

Sherry Laboratories received 1 sample on 3/31/2009 for the analyses presented in the following report.

In accordance with your instructions, Sherry Laboratories conducted the analysis on samples submitted by your company. The results relate only to the items tested. Unless otherwise noted, all analysis was conducted using EPA approved methodologies. Subcontracted tests are indicated by "SUB" as the analyst. All relevant sampling information is on the attached chain-of-oustody form. Certifications/Accreditations: IN# C-71-02 IN# M-71-02

If you have any questions regarding these tests results, please feel free to call.

It is the policy of Sherry Laboratories to retain all documents for seven years. If a copy of a report is needed, it will be available during this retention period at \$10 per copy.

This report contains \_\_\_\_\_\_ pages.

Approved By: Sacra Share



9871 Cleveland Road Suite 100A South Bend Indiano 45628 574-277-0707 WWW.SHERRYLABS.COM

Pax: 574-279-5888

CLIENT:

Beta Steel Corporation

Lab Order: Project: E09040017

WM Renewal

Date Received: 3/31/2009

Date Reported: 17-Apr-09

Lab ID: E09040017-01

Collection Date; 3/30/2009

Sample 10: Grinding Swarf

Matrix: SOLID

Matrixi SOLID		Deleution			Date	
Analyses	Result	Limit	Qual	Units	Analyzed	Analyst
MERCURY, TOLP LEACHED	SW7	170A				sub
Marcury	< 0.020	0,020		ppm	4/9/2009	
ICP METALS, TOLP LEACHED	SW13	311/8010B				anp
Arsenio	< 0,10	0,10		ppm	4/13/2009	
Berlum	0.26	0,28		mgg	a113/2000	4:06:64
Cadmium	< 0.050	0,050		ppm	4/18/2009	4:05:54
Ohromium	< 0.080	0.050		ppm	4/19/2009	4:05:54
***************************************	0,96	0.10		ppm	4/13/2009	4:05:64
Lead	< 0.20	0.20		ppm	4/18/2009	4(05)54
Sølenium Silver	< 0.050	0,050		muq	4/19/2009	4:05:64

Qualifiers:

ND - Not Detected at the Reporting Limit

J - Analyte detected below quantitation limits

B - Analyte detected in the associated Method Blank

\* - Value exceeds MCL or Permit Limitation

S - Spike Recovery outside accepted recovery limits

R - RPD outside necepted recovery fimile

MI+ - Matrix Interference

H - Brounds Holding Time

Page I of I

This document shall not be reproduced, except in full, without the written approval of Sherry Laboratories, Inc.



Appendix 1.2: Pit Scale Sludge Analytical Results

PHONE: 219-787-8200

FAX: 219-787-8725



May 16, 2006

1.2

Work Order No.: ME0605386

Ken Field Midwest Environmental, Inc. 4905 Columbia Ave Hammond, IN 46327

RE: Beta Steel / Portage, IN

Deur Ken Field:

Microbac Laboratories, Inc. received 1 sample on 5/10/2006 1:40:00 PM for the analyses presented in the following report.

The enclosed results were obtained from and are applicable to the sample(s) as received at the laboratory. All sample results are reported on an "as received" basis unless otherwise noted. This report includes the numbered pages as well as the Cooler Inspection Report and Chain of Custody form(s).

All data included in this report have been reviewed and meet the applicable project specific and certification specific requirements, unless otherwise noted. A qualifications page is included in this report and lists the programs under which Microbac maintains certification.

This report shall not be reproduced except in full, without the written approval of Microbac Laboratories.

We appreciate the opportunity to service your analytical needs. If you have any questions, please feel free to contact us.

Sincerely,

Microbac Laboratories, Inc.

Project Manager

Enclosures



#### **WORK ORDER SAMPLE SUMMARY**

Date:

Tuesday, May 16, 2006

CLIENT:

Midwest Environmental, Inc.

Project:

Bota Steel / Portage, IN

Lab Order:

ME0605386

Lab Sample ID

Client Sample ID M80605386-01A BBTACERT-06

Tag Number

Collection Date

Date Received

5/9/2006 12:10:00 PM

5/10/2006



CASE NARRATIVE

Date:

Tuesday, May 16, 2006

CHenti

Midwest Environmental, Inc.

Project:

Bota Steel / Portage, IN

Lub Order:

ME0605386

TPH Analysis:

The sample had quantifiable peaks in the Diesel Range. These peaks however do not much true Diesel and Gasoline fuel patterns, therefore the TPH as Diesel results were reported as ND.

## Microbac

Cilent:	3.5' )				Date:			May 16, 200
Chent; Client Project;	Midwest Environment							
	Bota Steel / Portage, II	N						
Client Sample ID:	BETACERT-06					Order/ID:		E0605386-01/
Souple Description: Sample Matrix:	forms a					ation Date:		35/09/06 12:1
somple realize	Solid				Dat	e Received:		05/10/06 13:4
Anglyses		ST	Result	- RL	Qual	Units	DF	Analyzed
TOTAL PETROLEUM H	ADŁODYUSON Walhedi				ip Date/			Analyst: AS
Dissel Range Organio			900	1801 Aggs	* 14	mg/Ka	10	05/15/00 15:04
Gasoline Range Organ	NGS		ND.	190		mg/Kg (	io ]	05/10/08 15:04
TPH as Diesel			ND	190		/mg/Kg	10	05/16/08 15:04
TPH as Gaecline	* , i	1 A	NO	190)		mg/Kg	10 1	05/16/06 15:04
Sun Decalluoroblpi	าอูกงใ	5 22	i 3.5	50-150	SD	WHEC !	10 '	05/15/05 15:04
CLP MERCURY	k žavih nadi	8W1911/74	70.A	Ču.		Plan a Alba mana		
Marcury	•	3 A {	אט. באי	0,0018}	th nates	ima: va/1a/uq  mg/L		i Analyst: AC 05/16/08 12:26
CLP METALS	Method:	SW (311/60		. ,	un Dotad	, ,	,	Analyst: AC
Areenic	taun.	. A i	rus ND	0.20	h page			
Barium	** * ************	~~ <u>{</u> ~	מא .	0.50		mo/L		05/16/08 01:24
Cedmium	erin the way of palestyres we work to		NO	0,010			ا ا ایج مرا	05/16/06 01:20
Chromium	TO TIME A DEPOS DE DESTRE A MANAGE		L	0.050		mg/L		06/18/08 01:24
Laso	rang jang ng pagagangan		ND.			lmg/L	1 ;	05/16/08 01:24
Selenium		A	ND	0.050/		mg/L mg/L		้อีริกาลับอย อกี :24
Silver	the the selection was a beautiful as as as	And C	ND ND	0.20			1	05/16/05 01 24
agistati ortine t ≤rr t i pricipie			. NO	, , , , , , , , , , , , , , , , , ,	·· • •	Impli		08/19/09 01:24
CLP SEMI-VOLATILE C	ORGANICS Method:	5W1011/883	70C	Pre	o Date/I	ime: <b>05/16/0</b> 6	08:15	Analysis SIT
1,4-Dishlorobenzene		A	ND.	0.050		lmg/L		05/18/08 11:27
2,4,5-Trichlorophenol	يوليدنانالو بصنيك وكرزبان الركيناها بالاستحاد فالمالات كأن كالقداوا والم	rai afterinumaian	ND.	0.050;		mg/L		06/16/08 11:27
2,4,6-Trichlorophenol		À	HD	0.050	, ,	mg/L		05/16/05 11:27
2 <sub>4</sub> -Dinkrotoluena		A Paris	ND:	D.060		ing/L		05/16/06 11:27
2-Methylphensi	haven to a links to an increase at a fer proper	A	ND:	0.050		ing/L		05/16/06 11:27
3/4-Methylphenoi	يسيا فيانه بالمودود بالمودود بالمواود المواود المودود	، المارية الم	NO 1	0.050	,	mg/L	•	05/16/06 11:27
lexachiorobenzene	mege. with in . creation de dealt that it desp		NO	0.050	1913	mg/L		05/16/06 11:27
Hexachloroburadiene	Bergerine of the total and the second of the	· / A ·	מא	0.050!	13 7 4	mg/L		05/18/08 11:27
lexachloroethane	Dyba and analogue of the St. S. Mark & C. S. Series	7-11-12 - 13-13-14	No	0.050	34 deg are. 14.	ma/L		05/16/08 11:27
Vitropanzane	an megengantentyantalan altert balante bill	-4-8-4-	WEX	0.030				06/10/06 11:27
entachloropheno)	enterpar was harrow and public. In the worken agent a	· · · · · · · · · · · · · · · · · · ·	ND:	0.035)		mo/L		
Augus	Lycha highly a magneying lexical district hasherwise		ND	0.25 0.656		mg/L		05/16/08 11:27
otal Cresol	نده و شد و المواجعة عند عدد فقد ماله وعبرة الله المهدار و اليا وهام حال المحرور	and the second	ND	0.050;		mg/L		18/16/08 11:27
Sun: Nitrobenzena-di	Carrante and and and and an indicated by the same	A 47.			kelk i gbj	mo/L		5/16/06 11:27
				10-121		MAEC		8/18/04 11:27
Sur: 2-Pluerobioheny	The market section of all a have share share sh	S 140,		5.58.109(	ا رماستان فادت	MAEC		6/16/08 11:27
Surr. Terphanyl-d14		6 47.		10-130/		WATER "		5/16/08 11:27
Surr: Phenol-d5	FIFTH F. E. C. Stranger C. C. and National Stranger	5 46		10-100		%AEC	. 1 .	5/15/06 11:27
Sur: 2-Fluoraphenol Sur: 2,4,6-Tribramap	(MMCS) to recommend with the many of	9 42,		10-120	1	%Alac		5/16/08 11:27
Andreas of A to Take	n cerrer!	S 76.		** ***		%REC	1 . 6	5/18/06 11:27



Client:	Midwest Environmental	*					
Client Project:	Bota Steel / Portage, IN	, TIKC"					
Client Sample ID:	BETACERT-06			•	Work Order	Z m.	ME0605386-017
Sample Description:	OD COUNTY OF				Collection		05/09/06 12:14
Sample Marrix:	Solid				Date Rec		05/10/06 13:40
Analyses	- State of the American State of the State o	ST	Result	RL	Qual U	nits	DF Analyzed
CLP VOLATILES	Method: s	W1311/82	128	Pp	o Dale/Time:	08/11/05:	20:00 Analysi: CLA
Вепиель		\ A \ \	MD	0.050	) (gm)		10 05/12/06 17:09
2-Bulahona		*   "A"     "	NO	0.10	mg/i	." "L	10 05/12/05 17:09
Carbon tetrachioride	3+1 P 14 4++113	*** A     **	"NO	0.050	mg/l	· · ·	10 05/12/06 17:09
Chiorobenzene	1 4 1 1	i A !	ND	0,050	mg/L		10 06/12/06 17:08
Chloroform	error or the second 1	A	ND	0.050	img/L		05/12/06 17:09
1,1-Dichioroethena	THE DOCUMENT OF STATE	` A ' [ ''	"\ Aito	0.050	mg/L	· -1 / 74	05/12/08 17:08
1,1-Dichloroethene 1,2-Dichloroethene	- i a implier to a top-co-	"' A" '	NED.	0.060)	(mg/)		0 05/12/08 17:09
i,4-Dichlorabenzene	и Правенци в пе	' A '	ND	d.o5d(	mg/L		05/12/06 17:09
Tetrachlorcemene	- marini ( 15 c a a a to constante ) :	·	ND	d,aEdi	mp/L		0 06/12/08 17:09
Trichloroethens	disabilita sajan gibadayo masanta sagan a sasa sa sa	• }	NO.	3050.6	mg/L		0 05/12/06 17:09
Vlnyi objerkte	THE IS IN MARKET AND I	主义士:	ND	0.050	ing/L	5	0 05/12/08 17:09
Surr. 4-Bromotluoral	penzene	S 10	2	72.4-120	%PE		0 1 05/12/08 17:09
Suri: Dibromofluorar	nothane	S 80	7	80.2 128	%-RE	.c 🥍	0 08/12/08 17:09
Syn: Toluene-d8	The policy of the second secon	i S ito	كتأ بدر حد فقد عدد	83,9-117	%PE	c' i	0 05/12/06 17:09
Suir: 1,2-Dichloroeif	ane d4	່ເຮືອກ	. <b>d</b>	74.4-132	¦%ክE	c i	0 05/12/06 17:08
NITABII PTV WAREN A	UP FLASHPOI Melhod: Di	92-90 MOI		£7 und	* Pus-57*		factor to the
MITABILITY (OPEN CI ionitability	ALLINGUISCUI MONGOD: DI	er-sursitu 'IA'	>170	30;	p Date/Time: '∗F		Analyat: BR
- 1 1 7 1 1 1 1 1 2 2		1.4.).	<i>≯177</i> 3	•		i,	• •
aint filter	Method: 📾	W GU 8 5 55		P11	D Deta/Time:		Analysi: NR

CORROSIVITY BY PH Method: 9W9045C



#### FLAGS. FOOTNOTES AND ABBREVIATIONS (ax meeded)

NA	<b>×</b> ,	Not Analyzed	NA	=	Not Applicable			
m≱⁄L	*	Milligrams per Liter (ppm)	ug/L	æ	Micrograms per Liter (ppb)	¢fu.	22	Colony Forming Unit
mg/Kg	79	Milligrams per Kilogram (ppm)	ug/Kg	=	Micrograms per Kilogram (ppb)	ng/L	笋	Nanograms per Liter (ppt)
U	72	Undetesion	- •			-		•
ţ	==	Analyte conveniention detected het	erten AL e	od M	DL (Metals / Organics)			
₽ -	==	Detected in the arroclassed Meshed	Bignik at a	conc	entration above the mutina FQL/R	L		
Þ	=	Detected in the assuriated Method	Dinn's at a	cosc	entrotion above the Method Detect	ion Limit	bul le	ss than the routine POL/RL
ם	=	Surrogula recoveries are not calcul-						
ND	*	Not Detroyed at the Reporting Limit	li (or the h	Zothu	d Desection Limit, if listest)			
E	я	Value obove quantitation range			•			-
Ħ	25.	Analyte was prepared and/or maly:	a izuo bas	e of A	se analytical method holding time			
1	122	Matrix Interference			•			
ĸ	177	RPD outside accepted recovery lim	ite		•			
\$	122	Spike receivery outside receivery lin	กรียน					
Sut	=	Surrogate						
DF	•	Dilution Factor RL = Rep	orting Lis	nit	5T - Sumple Type	MDL 1	M	ethod Detection Lamb

#### SAMPLE TYPES

- Assilve
- Internal Standard
- Surrogate
- Tentatively Identified Compound (TiC, concentration estimated)

#### OCSAMPLE IDENTIFICATIONS

XXXX		**************************************				100		
MBLK	24	Method Blank	ICSA	•	Interference Check Standard "A"	OPR	2	Ongoing Precision and
ďup	뽀	Method Duplicate	ICSAB	=	Interference Check Standard "AB"			Recovery Supulant
[CS	海	Laboratory Control Sample	LCSD	×	Laboratory Control Sample Dupilcate			
MS	<b>33</b>	Matrix Spike	MSD	= .	Moria Spike Duplicar			
KÜÜ	<del></del>	Initial Calibration-Blank	CCB	=	Continuing Calibration Blank			
<b>ICV</b>	7	britisi Calibration Verification	CCV	齫	Continuing Calibration Verification			•
PD\$	20	Fost Digostion Spika	SD	個	Serial Dilution			

#### CERTIFICATIONS

Below is a list of verifications maintained by the Microbac Merrillville Laboratory. All data included in this report has been reviewed for and meets all project modific and quality control requirements of the applicable accreditation, unless otherwise noted. Complete lists of individual analyses pursuant to exact certification below ore available upon request.

- Blinois EPA for the analysis westernier and solid worse in actordance with the requirements of the National Environmental Laboratory Assemblation Program [NELAP] (user-editation #100435)
- Blinois Department of Public Health for the microbiological analysis of denking water (registry #175458)
- Indiana DEM approved support laboratory for solid waste and wastewater analyses
- Indiana SDH for the chemical analysis of delaking water (lab #C-45-02)
- Indiana SDR for the raterobiological analysis of drinking water (ish 4M-43-08)
- Kontucky EFFC for the enalysis of samples applicable to the Underground Storage Tank program (leb #006)
- Ninth Carolina DENR for the environmental analysis for NPDES offluoni, surface water, groundwater, and presentment regulations (certificate #597)
- Wisconsm DNR for the obtained analysis of wastewater and solid waste (lab #998036710)

#### MICROBACLOCATIONS

Cathulais		Wickfurt, FA	Camp Mil Disision	-	Camp Hift, PA
Paulacyji Division	-	Westendale, PA	Knosylka Olyfaidn		Maryville, IN
Kata Divisipo		Erlo, PA / Wilker-Burns PA	Vesico Division	-	Vaidea, FL / First Myers, FL
New Courts Division	-	Note Costle, PA	Sedih Caroline Division	-	New Elienton, SC
neisleill pelita'i picatesii		Lephy (he. KY / Rymmultis, IN	Fayatfavilla Flykkian		Phyroaritts, NC
Massachusette Division		Mariboro, MA.	Sauthern Testing Division	_	Wilton, NC
Gastnyna Divalon		Buklimoro, MD	Hatter Division		Hoylder, CO
Corosa Divigion		Coruss, CA	Friend Laboratory		Waverly, NY
South Juney Division		Tomersville, NI			

ME0505888-01A

BETAGERT-06



COOLER INSPECTION				JD.	Pala:	Tuesday, May 16, 2005
Cileni Name MOWEST ENVIRONMENTAL				Date / Time		3/10/2009 1:40:00 PM
Work Order Number MECOSOSSES				Received by	y DP	
Checklist completed by DP 5/10/20	08 1:44:17 PM			d beweives	y KL	5/11/2006 3:29:27 PM
	Carrier name	Cler	t Delive	ied .		
Aller-Hour Arrival?		Yes		No 🗹		
Printibanco bace ni reiodolrenistros gniqqidi		Yes		No 🗀	Not Present	
Custody seals intact on shippping container/cooler	?	Yes		No 🗌	Not Present	
Custody seeks intact on sample bottles?		Yes		No 🗀	Not Present	· 🔀
Chain of custody present?		Yes		No 🖵		
Chain of quatody included sufficient offent identifica	tion?	Yes	<b>9</b>	No 🛄		
Chain of ourlody included sufficient eample collection	?nollsmotni x	Yas	-1.	NO 🖵		
Chain of custody included a sample desoription?			Z	No 🛄		
Chain of custody agrees with sample labels?				No []		
Chain of custody Identified the appropriate matrix?			<b>₩</b>	No 🛄		
Chain of custody included date of collection?				No □		
Chain of sustody included time of collection?  Ohain of custody identified the appropriate number.	at acatelyand			No □		
Samples in proper conteiner/bottle?	Or contatitions t		<u>-</u>	No 🗆		
Sample containers Intact?			<b>2</b>	No C		
Sufficient sample volume for indicated test?			<b>2</b>	No C		
All samples received within halding time?			Ē	No 🗔		
Chain of custody identified the appropriate preserve				No 🗹		
Samples properly preserved?			$\square$	No 🛄		•
If No. adju	sted by?	b (ess.) est s	wang mbaki	Data/Time		, 
Chain of custody included the requested analyses?		Yes	<b>₹</b>	No 🗀	1	
Cháin ót cualódy signad when ratinquished and rece	ivad?	Yes	Z	No 🛄		
Samples received on ice?				No 🗺		
Contemporations			amp:	•		_
VOA viets have zero Headspace?	la VOA viels submi	ind	<b>Y</b>	Yes 🗌	No C	J
ANY "NO" EVALUATION (excluding Atter-Hour R	ecelpt) REGUINES	oLi	ENT NO	TIFICATION.		7430 10765 N
General Comments:						
Sample ID Cilent Sample ID				Comments	**************************************	

prose		Type	§) tower 1)	() Laws III CUP-Res	Maran Vileyari ()		~ ~ ~			Fortabulas com	1-70								, a	Deta/Time	DataClinne	STO-04/100	7-8
Chain of Custody Record Number 66668	Instructions; on back	Report Type	Rawides Only	[] Level III	[]Lavally	8	806-278		University										1) Return   Archive		Š		Sad Sad
thain of	Structor			Ξ	=	C EDO	,		Specially (1)	Thens do					_		-		1	12	(ming)	N	
<b>U</b> ~	4	2	(8)		ų		Sampler Phone 8		Officer (C)	Armorton Top I										By (stgm	By (alpr	E	
		Furnarcound This	Whitene (Perotony days)	7 (ab.)	-Days	To page of	8	<b>1</b>	Theospile	Mary oral		-			ļ.		-	_	Dispose as appropriate	Received By (signature)	Receired By (signature)	Heaven to the (signature)	
<b>3</b> B		7 Lines	usine (7 v	[] RLESH" (mally left)	W			[] e-mail (address)	Waste V										1	3			
[] 5213 Weat 88th Street brokenspole, IN 48278 Telf 317-872-1375 Feat: 917-872-1379		· 		1381	2		Ņ		Suffato, 1	Rectinested Analysess —— Preservative Types **									Sample Disposition	1 "	3		
S713 West 28th St. British gods, W. 44 Tels 317-872-1375 Fext: 917-872-1379					£.		N		Sockers B	Vo. of Containers					-	-			le e	S A A CO	DatteTTEmp	DataTime	Mandadations
		5-80			Compliance Montaniary (1 Yes, 1) (1) No		h		Melhamil, (7)	Datasiloo smit	01:21				***************************************				Name and Address of the Address of t		_		
[] 280 Wart 94th Drive Mertivile, IN 46410 Tel 219-788-5878 Par 2 (9-788-588		Reta	Pariage IN	-	Monthy ing?	SE SE	Sampler Signature		Acetsta, (5)	batoalloO oraq	3/0/07S	,						,	[] Farboache	Refinquished By (alignatura)	Peding Served By [signature]	Pelinquistred By (signature)	
280 Wast Bath Driv Marinilla, IN 464 Tet 219-788 2178 Par 219-789-1684		1	Location		plance	(1) Mannay Program	Sample		Miles (C	bananin									]=		THE SEATON	With the second	
2 2 2 2	Ì	Present	9	2	2	£	1	ļ	MACH.	dano Aleoqmod			H	-			$\dashv$		Ezanción	E	2	Z.	
Senvelue netted to:		,	Mark	1				(≱ Xegi ×	15 P8	Merke.	┝┶┥								Non-Hezantious				
Servence Submitted to:	West of the second second	EW. LA	apie.		<i>•</i>	(0	12-60		hd (6), Studge, Cit, Wipe, Ditheting Weiser (DW), Gensumbelier (GW), Sastare Waier (SW), Weare Water (PW), Other (specify) Cs. (2) FCSCM. (3) FCS. (4) NaCH, (5) Zine Acctele, (5) Meihamii, (7) Soulum Basafen, (5) Soulum Thiosaleite, (9) Fearers. (1) (Francestred		30						1		() Hezaldosa			u j saestig	
frerobae		Midwe	4905 colus	W. Slate, the HAMMOND	なる。です	0117-4140 A	Namicles by (PRBVT)	E West	* Meatric Types: Scil/Soad ( Preservative Types: (1) HWO3,	CHAM Sandle ID	BETA CERT - (			No. 1975 - The second s	- And Andrews -		Name of the Control o	The state of the s	Passikië Hazard Mentification	TIS		Secretal to describe types receipt to degrees C =	×
MEDRASSE Beto Sied Ken Field	\$ / Po	W. W. C.	NI WELLES	MS/AFE	S S S S S S S S S S S S S S S S S S S	A elephona 4	TAPLE TO THE PART OF THE PART	A land flagant vis	17/20 17/20		4				-					Page (	of B	S S S S S S S S S S S S S S S S S S S	TEV. 15/04/04



Appendix 2

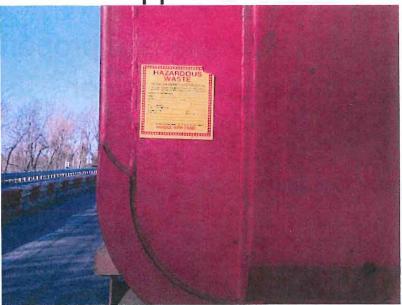


Figure 1: New label on vacuum box



Figure 2: New label on vacuum box

PHONE: 219-787-8200

FAX: 219-787-8725



# Appendix 5: An example of a properly labeled used oil container



Figure 3: Properly labeled used oil containers. This site is located inside the facility building.

PHONE: 219-787-8200 FAX: 219-787-8725



## Appendix 6.1: Spill Kit Example

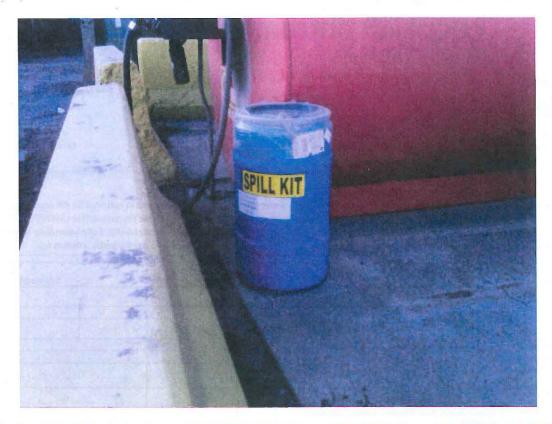


Figure 4: Example of typical spill kits deployed around the facility in high risk areas, 10 total. These are to be used to control oil releases, to limit the extent of releases and to aid in cleanup activities. This intersects with SPCC requirements.

PHONE: 219-787-8200 FAX: 219-787-8725



## Appendix 6.2:

# Sample page 1 of 4 from regular inspection checklist currently being used



Monthly Facility Storm Water Inspection-NPDES Permit #IN0059714

Me	inth	2		
	11.00			_

#### Instructions:

Physically inspect all NLMK sites external to buildings that are exposed to industrial activity and document as indicated for the conditions listed below. The normal state of most items should be "No". This inspection covers both Storm Water Pollution Prevention Plan (SWPPP) and Spill Prevention Control and Countermeasures (SPCC) plan conditions. The inspection route is arranged geographically. Take immediate action to prevent an active spill from reaching the storm sewer system. Shaded lines are HIGH RISK areas to pay particular attention to.

Location	Condition to Inspect for	YN	Follow Up Activities Required	Comments
HSM - South End, doors 1 - 2	Mobile equipment repair area: Gross amounts of oils or other chemicals on ground			Marie Carlos Car
HSM - South End. doors 1 - 2	Building skirting. Oil or chemicals seeping under from inside			
HSM - South End. doors 1 - 2	Stone area: New oil or chemicals since last inspection not cleaned up			=
HSM - South End. doors 1 - 2	Door 1: Totes leaking onto floor at inside storage area			
HSM - South End, doors 1 - 2	FH2.3 Hydraulic leaks that can make it outside the building			- 4
HSM - South End, doors 1 - 2	Roadway: New oil or chemicals since last impection, catch basin conditions		il i	a v
HSM - South End, doors 1 - 2	Spill kit intact and stocked correctly			
HSM – West side doors 3 – 7	Stone area incide fence: New oil or chemicals since last inspection			30
HSM – West side doors 3 – 7	SW parking area: Catch basin and storm sewer manholes no oils or chemicals, debris build up			* 0
HSM – West side doors 3 – 7	West Roadway: Catch basin spill control filters intact and clean. Consider replacing semi-annually.			V
HSM - West side doors 3 - 7	FM cooling tower walls: Oils or sludge outside			
HSM – West side doors 3 – 7	FM Cooling Tower perimeter: Oils or sludge on ground		10	
HSM – West side doors 3 – 7	FM Cooling Tower: Oil skimmer container leaking, overflowing			3
HSM - West side doors 3 - 7	FM Cooling Tower: Spill kit intact and stocked correctly			
HSM - West side doors 3 - 7	Transformer room doors: Oil seeping under			

Figure 5: This is page 1 of 4 of an inspection intended to audit conditions on the ground and of storm water conveyances

PHONE: 219-787-8200 FAX: 219-787-8725

Inspected by:



#### UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 5 77 WEST JACKSON BOULEVARD CHICAGO, IL 60604-3590

DEC 1 9 2012

REPLY TO THE ATTENTION OF:

LR-8J

## CERTIFIED MAIL RETURN RECEIPT REQUESTED

Mr. John Hudson Senior Manager of Safety and Environmental NLMK Indiana Corporation 6500 South Boundary Road Portage, Indiana 46368

> Re: Notice of Violation NLMK Indiana EPA ID No.: IND984904466

Dear Mr. Hudson:

From June 11 to June 13, 2012, a representative of the U. S. Environmental Protection Agency, as part of a multimedia inspection team, inspected NLMK Indiana Corporation's (NLMK) facility located in Portage, Indiana. The purpose of the inspection was to evaluate NLMK's compliance with certain provisions of the Resource Conservation and Recovery Act (RCRA); specifically, those regulations related to the generation, treatment and storage of hazardous waste. We have enclosed a copy of the inspection report for your reference.

Based on information provided by NLMK personnel, review of records, and physical observations made by the inspector at the time of the investigation, EPA has determined that NLMK is engaged in storage of hazardous waste without a permit, and is in violation of certain requirements of the Indiana Administrative Code (IAC) and United States Code of Federal Regulations (CFR). To be eligible for the exemption from having a hazardous waste storage permit, NLMK must be in compliance with the conditions of 40 CFR § 262.34(a) and (c), which are incorporated by reference into the Indiana regulations, at 329 IAC 3.1-7-1. We find that NLMK was not in compliance with the following conditions for a hazardous waste storage permit exemption, and in violation of the following requirements:

1. A large quantity generator must determine whether its waste is hazardous. See, 329 IAC 3.1-7-1; 40 CFR § 262.11. At the time of the inspection, NLMK had not determined whether the following wastes are hazardous: waste dust from the storage areas of the facility floor (that is not added back into the process), waste aerosol cans, or waste polyfloc. In addition, waste profile "002830 Swarf" describes the waste

- content as "swarf" without additional analysis; and waste profile "104043IN" describes scale pit sludge content as "sludge" without additional analysis. NLMK, therefore, violated the above-referenced generator requirement.
- 2. In order to avoid the need for a hazardous waste storage permit, a large quantity generator using containers to store hazardous waste must lable or mark the container with the words "Hazardous Waste" and the date upon which each period of accumulation begins. See, 329 IAC 3.1-7-1; 40 CFR § 262.34(a)(2) and (3). At the time of the inspection, NLMK did not label or mark the container associated with the vacuum truck with the words "Hazardous Waste" or include the date upon which accumulation began. NLMK, therefore, failed to comply with the above-mentioned condition for a hazardous waste storage permit exemption, and violated the container management requirement.
- 3. In order to avoid the need for a hazardous waste storage permit, a large quantity generator must maintain a written description of the type and amount of both introductory and continuing training that will be given to each position related to hazardous waste management. See, 329 IAC 3.1-7-1; 329 IAC 3.1-10-1; 40 CFR § 262.34(a)(4); 40 CFR § 265.16(d)(3). This is also a requirement of owners and operators of hazardous waste storage facilities, under 329 IAC 3.1-9-1 and 40 CFR § 264.16(d)(3). At the time of the inspection, NLMK did not have a written description of the type and amount of both introductory and continuing training that will be given to each position related to hazardous waste management. NLMK, therefore, failed to comply with the above-mentioned condition for a hazardous waste storage permit exemption, and personnel training requirement.
- In order to avoid the need for a hazardous waste storage permit, a large quantity generator must maintain in its contingency plan, the home address of the emergency coordinator, an emergency equipment list that includes an outline of the capabilities of each item of equipment, plans to address spills of hazardous waste, and an indication that the plan was submitted to off-site emergency responders See, 329 IAC 3.1-7-1; 329 IAC 3.1-10-1; 40 CFR § 262.34(a)(4); 40 CFR Part 265, Subpart D. This is also a requirement of owners and operators of hazardous waste storage facilities, under 329 IAC 3.1-9-1 and 40 CFR Part 264, Subpart D. At the time of the inspection, NLMK's contingency plan did not include the home address of the emergency coordinator; did have an emergency equipment list, but not an outline of the capabilities of each item of equipment; did have plans to address spills, but not spills of K061 hazardous waste; and there were no records indicating that the plan was submitted to all local police departments, fire departments, and state and local emergency response teams that may be called upon to provide emergency services. NLMK, therefore, failed to comply with the above-mentioned condition for hazardous waste a storage permit exemption, and the contingency plan and emergency procedures requirements.

- 5. Used oil generators must clearly label or mark containers and above-ground storage tanks used to store used oil with the words "Used Oil." See, 329 IAC 13-4-3; 40 CFR § 279.22(c)(1). At the time of the inspection, NLMK had used oil containers marked with the words "Bad Oil" and "Waste Oil." NLMK, therefore, failed to meet the condition of the used oil generator requirement.
- 6. Used oil generators, upon detection of a release of used oil to the environment, must clean and manage properly the released used oil and other materials. See, 329 IAC 13-4-3; 40 CFR § 279.22(d)(3). At the time of the inspection, NLMK had "small" releases of used oil within the facility and on property controlled by both NLMK and its tenant, Tube City IMS Corporation. NLMK, therefore, failed to meet the condition of the used oil generator requirement.

At this time, EPA is not requiring NLMK to apply for a hazardous waste storage permit, so long as it immediately establishes compliance with the conditions for an exemption outlined above. According to Section 3008(a) of the RCRA, EPA may issue an order assessing a civil penalty for any past or current violation requiring compliance immediately or within a specified time period. Although this letter is not such an order, you are hereby requested to submit a response in writing to this office no later than thirty (30) days after receipt of this letter documenting the actions, if any, which have been taken since the inspection to establish compliance with the above conditions and requirements.

You should submit your response to Daniel Chachakis, EPA, Region 5, 77 West Jackson Boulevard, LR-8J, Chicago, Illinois 60604. If you have any questions regarding this letter, please contact Mr. Chachakis, of my staff, at (312) 886-9871.

Sincerely,

Cary Victorine, Chief

RCRA Branch

#### Enclosure

cc: Nancy Johnston, Indiana Department of Environmental Management (njohnston@idem.in.gov)



# UNITED STATES ENVIRONMENTAL PROTECTION AGENCY REGION 5 77 WEST JACKSON BOULEVARD CHICAGO, IL 60604-3590

DEC 2 0 2012

REPLY TO THE ATTENTION OF:

C-14J

#### <u>CERTIFIED MAIL</u> RETURN RECEIPT REQUESTED

Mr. John Hudson Senior Manager of Safety & Environmental NLMK Indiana 6500 South Boundary Road Portage, Indiana 46368 DEC. 21 2012

LAND AND CHEMICALS DIVISION

U.S. EPA - REGION 5

Re: NLMK Indiana Multi-Media Case

Dear Mr. Hudson:

Representatives from the U.S. Environmental Protection Agency inspected the NLMK Indiana facility (NLMK) from June 11 to June 13, 2012. The inspection revealed violations of the oil pollution prevention regulations promulgated under the Clean Water Act, 33 U.S.C. §§ 1251 et seq., violations of the Resource Conservation and Recovery Act, 42 U.S.C. §§ 6901 et seq. and the regulations promulgated thereunder, and violations of Title V of the Clean Air Act, 42 U.S.C. §§ 7401 et seq.

Please review carefully the two Notices of Violation and the Finding of Violation enclosed with this letter. Each of the three documents requires a response according to the terms set forth therein. If you have any questions or would like to schedule a conference, please call the contacts listed in the individual cover letters. If you have any legal questions, please call me at (312) 886-0273.

Sincerely,

Susan Tennenbaum

Associate Regional Counsel

**Enclosures** 

cc: Daniel Chachakis, LR-8J Eleanor Kane, AE-17J Joseph Ulfig, SE-5J



#### UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 5 77 WEST JACKSON BOULEVARD CHICAGO, IL 60604-3590

DEC 1 9 2012

REPLY TO THE ATTENTION OF:

LR-8J

#### <u>CERTIFIED MAIL</u> RETURN RECEIPT REQUESTED

Mr. John Hudson Senior Manager of Safety and Environmental NLMK Indiana Corporation 6500 South Boundary Road Portage, Indiana 46368

Re: Notice of Violation

NLMK Indiana

EPA ID No.: IND984904466

Dear Mr. Hudson:

From June 11 to June 13, 2012, a representative of the U. S. Environmental Protection Agency, as part of a multimedia inspection team, inspected NLMK Indiana Corporation's (NLMK) facility located in Portage, Indiana. The purpose of the inspection was to evaluate NLMK's compliance with certain provisions of the Resource Conservation and Recovery Act (RCRA); specifically, those regulations related to the generation, treatment and storage of hazardous waste. We have enclosed a copy of the inspection report for your reference.

Based on information provided by NLMK personnel, review of records, and physical observations made by the inspector at the time of the investigation, EPA has determined that NLMK is engaged in storage of hazardous waste without a permit, and is in violation of certain requirements of the Indiana Administrative Code (IAC) and United States Code of Federal Regulations (CFR). To be eligible for the exemption from having a hazardous waste storage permit, NLMK must be in compliance with the conditions of 40 CFR § 262.34(a) and (c), which are incorporated by reference into the Indiana regulations, at 329 IAC 3.1-7-1. We find that NLMK was not in compliance with the following conditions for a hazardous waste storage permit exemption, and in violation of the following requirements:

1. A large quantity generator must determine whether its waste is hazardous. See, 329 IAC 3.1-7-1; 40 CFR § 262.11. At the time of the inspection, NLMK had not determined whether the following wastes are hazardous: waste dust from the storage areas of the facility floor (that is not added back into the process), waste aerosol cans, or waste polyfloc. In addition, waste profile "002830 Swarf" describes the waste

- content as "swarf" without additional analysis; and waste profile "104043IN" describes scale pit sludge content as "sludge" without additional analysis. NLMK, therefore, violated the above-referenced generator requirement.
- 2. In order to avoid the need for a hazardous waste storage permit, a large quantity generator using containers to store hazardous waste must lable or mark the container with the words "Hazardous Waste" and the date upon which each period of accumulation begins. See, 329 IAC 3.1-7-1; 40 CFR § 262.34(a)(2) and (3). At the time of the inspection, NLMK did not label or mark the container associated with the vacuum truck with the words "Hazardous Waste" or include the date upon which accumulation began. NLMK, therefore, failed to comply with the above-mentioned condition for a hazardous waste storage permit exemption, and violated the container management requirement.
- 3. In order to avoid the need for a hazardous waste storage permit, a large quantity generator must maintain a written description of the type and amount of both introductory and continuing training that will be given to each position related to hazardous waste management. See, 329 IAC 3.1-7-1; 329 IAC 3.1-10-1; 40 CFR § 262.34(a)(4); 40 CFR § 265.16(d)(3). This is also a requirement of owners and operators of hazardous waste storage facilities, under 329 IAC 3.1-9-1 and 40 CFR § 264.16(d)(3). At the time of the inspection, NLMK did not have a written description of the type and amount of both introductory and continuing training that will be given to each position related to hazardous waste management. NLMK, therefore, failed to comply with the above-mentioned condition for a hazardous waste storage permit exemption, and personnel training requirement.
- 4. In order to avoid the need for a hazardous waste storage permit, a large quantity generator must maintain in its contingency plan, the home address of the emergency coordinator, an emergency equipment list that includes an outline of the capabilities of each item of equipment, plans to address spills of hazardous waste, and an indication that the plan was submitted to off-site emergency responders See, 329 IAC 3.1-7-1; 329 IAC 3.1-10-1; 40 CFR § 262.34(a)(4); 40 CFR Part 265, Subpart D. This is also a requirement of owners and operators of hazardous waste storage facilities, under 329 IAC 3.1-9-1 and 40 CFR Part 264, Subpart D. At the time of the inspection, NLMK's contingency plan did not include the home address of the emergency coordinator; did have an emergency equipment list, but not an outline of the capabilities of each item of equipment; did have plans to address spills, but not spills of K061 hazardous waste; and there were no records indicating that the plan was submitted to all local police departments, fire departments, and state and local emergency response teams that may be called upon to provide emergency services. NLMK, therefore, failed to comply with the above-mentioned condition for hazardous waste a storage permit exemption, and the contingency plan and emergency procedures requirements.

- 5. Used oil generators must clearly label or mark containers and above-ground storage tanks used to store used oil with the words "Used Oil." See, 329 IAC 13-4-3; 40 CFR § 279.22(c)(1). At the time of the inspection, NLMK had used oil containers marked with the words "Bad Oil" and "Waste Oil." NLMK, therefore, failed to meet the condition of the used oil generator requirement.
- 6. Used oil generators, upon detection of a release of used oil to the environment, must clean and manage properly the released used oil and other materials. See, 329 IAC 13-4-3; 40 CFR § 279.22(d)(3). At the time of the inspection, NLMK had "small" releases of used oil within the facility and on property controlled by both NLMK and its tenant, Tube City IMS Corporation. NLMK, therefore, failed to meet the condition of the used oil generator requirement.

At this time, EPA is not requiring NLMK to apply for a hazardous waste storage permit, so long as it immediately establishes compliance with the conditions for an exemption outlined above. According to Section 3008(a) of the RCRA, EPA may issue an order assessing a civil penalty for any past or current violation requiring compliance immediately or within a specified time period. Although this letter is not such an order, you are hereby requested to submit a response in writing to this office no later than thirty (30) days after receipt of this letter documenting the actions, if any, which have been taken since the inspection to establish compliance with the above conditions and requirements.

You should submit your response to Daniel Chachakis, EPA, Region 5, 77 West Jackson Boulevard, LR-8J, Chicago, Illinois 60604. If you have any questions regarding this letter, please contact Mr. Chachakis, of my staff, at (312) 886-9871.

Sincerely,

Gary Victorine, Chief

RCRA Branch

#### Enclosure

cc: Nancy Johnston, Indiana Department of Environmental Management (njohnston@idem.in.gov)

## LAND AND CHEMICALS DIVISION

Type of Document: Notice of Violation

Name of Document: NLMK Indiana Corporation Notice of Violation

[Do Not Mail To Facility: See Comments]

	NAMES	DATE
AUTHOR:	Daniel Chachakis	12-11-2012
SECTION APA:	Ruben Aridge	
SECTION CHIEF:	Lorna Jereza DAC (activ)	12-14-2012
BRANCH APA:	Margret Gray	12/14/12
BRANCH CHIEF:	Gary Victorine Jay Vittoring	0 12/18/12
[Do No	ot Mail To Facility: See Comments	<b>6</b> ]
DIVISION APA:		-
DIVISION DIRECTOR:		
OTHERS:	ORC: Susan Tennenbaum	e-mail 12/10/12
DRA:	, a , a	<u> </u>
RA:		
RETURN TO:	Dan Chachakis, LR-8J	
PHONE:	6-9871	
COMMENTS.		

- 1) This if from a multimedia inspection. Do Not Mail To Facility Return the signed NOV to Dan Chachakis so I can give it to the attorney, Ms. Tennenbaum, for a consolidated Air, Water and SPCC mailing.
- 2) Please complete by Monday, December 17.

#### UNITED STATES ENVIRONMENTAL PROTECTION AGENCY REGION 5, LCD, RCRA, JR-8J 77 W. JACKSON BOULEVARD CHICAGO, IL 60604

#### RCRA COMPLIANCE EVALUATION INSPECTION REPORT

SITE NAME:

NLMK Indiana

EPA ID No.:

IND984904466

**ADDRESS:** 

6500 South Boundary Road

Portage, Indiana 46368

DATE OF INSPECTION:

June 11 through 13, 2012

**EPA INSPECTOR:** 

Daniel F. Chachakis

**Environmental Protection Specialist** 

PREPARED BY:

Daniel F. Chachakis, EPS

Compliance Section 1

Date Completed

RECEIVED BY:

Lorna M. Jereza, Chief

Compliance Section 1

Date Received

**Purpose of Inspection** 

This announced multimedia compliance evaluation inspection (CEI) was an evaluation of NLMK Indiana's (NLMK) compliance with hazardous waste regulations found at 35 IAC 35 and the Code of Federal Regulations (CFR), as well as other multimedia areas of concern.

#### **Participants**

Federal Inspectors

Daniel Chachakis, EPA, Resource Conservation and Recovery Act Inspector Valdis Aistars, EPA, Clean Water Act Inspector Keith Middleton, EPA, Clean Water Act Inspector Eleanor Kane, EPA, Clean Air Act Inspector Paul Wickley, EPA SEEP, SPCC Inspector Eddy Depositar, Indiana Department of Environmental Management Inspector

Representative of NLMK

John Hudson, Senior Manager of Safety and Environmental Tom Olson, Environmental Manager

**Introduction** 

Prior to the inspection, I reviewed available information about NLMK and the site. Specifically, I reviewed the following sources of information: the NLMK website, various news service sites, RCRAInfo, ECHO, and others. EPA Database site information identifies NLMK as a Large Quantity Generator.

On June 11, 2012, I arrived at the site at approximately 7:30 AM, and waited for the other multimedia inspectors to arrive. Upon the other inspectors' arrival, we entered the facility at approximately 8:50 AM, initially showing our credentials to the security representatives at the front gate. We were sent to the administrative building, where we met the NLMK representatives. We introduced ourselves, presented our inspector credentials and identification, and described the purpose of the inspection and the process by which we intended to conduct the inspection. Mr. Hudson provided us with a verbal / written description of the site. Both Mr. Hudson and Mr. Olson led the tours at various times and provided us with the records we requested for review.

I showed my credentials to Mr. Hudson. I presented Mr. Hudson with the U.S. EPA Small Business Information Sheet and the Indiana pollution prevention handout.

We discussed safety issues. The facility has overhead cranes, high temperature melting operations, and on-site rail and truck operations. We observed that the facility had the potential for heat injuries. Mr. Hudson confirmed with our inspection team, the requirement to use the following safety equipment: steel toed boots, hearing protection, hard hat, safety glasses with side shields, and a burn jacket.

We discussed the subject of Confidential Business Information (CBI) and our use of cameras. Mr. Hudson did not make any CBI claims at that time, but reserved the right to make such claims if conditions warranted later.

#### Site Description

Mr. Hudson provided a site description. NLMK is a mini-mill, and uses electricity to melt scrap metal. Scrap metal arrives by truck, rail and barge; is processed into coils; and shipped to users again mainly by truck and also potentially by rail and barge. NLMK is a large consumer of electricity. The site consists of approximately 90 acres located on the shore of Lake Michigan, and employs approximately 350 people. The hot strip unit was built in 1991. NLMK is a zero-discharge facility under the Water program, and has a Title V air permit.

The melt shop operates 24/7, but shuts down every 10 days for a 24 hour maintenance period. The hot strip mill operates 24/7, but shuts down every Saturday and re-starts every Tuesday for maintenance, and to allow the melt shop to "catch up"; the hot strip mill is able to outperform the melt shop. The facility produces approximately 70,000 tons of steel per month. The process takes approximately seven days from initial order time to being ready for delivery. Mr. Olson used the term "booming" when I asked how the business was going.

NLMK uses limestone, carbon, and magnesium to feed into the process when necessary to adjust chemistry or temperature.

NLMK's single hazardous waste is the generation of K061 dust from bag house operations. The waste is generated in a bag house, stored in a silo, and disposed of off-site by truck. The system contains 16 compartments and 432 filter bags. There are no hazardous waste storage areas and no hazardous waste storage tanks. NLKM ships out approximately 10 semi-trailer loads of K061 dust per week.

NLMK generates oil, grease, used bulbs, batteries, and rag wastes.

There also exists on the NLMK property a second company called Tube City IMS. This company processes the slag produced by NLMK operations, and manages the scrap metal on-site that are the input to the NLMK steel recycling process. Tube City IMS is responsible for separating the scrap metal into the correct grades for processing by NLMK.

Day 1, June 11, 2012

#### Site Tour

We toured the site observing to get a general understanding of the facility and facility operations, and to plan further tours in our individual focus areas. At the time of the inspection, I took photographs of the various waste operations and waste storage/accumulation areas.

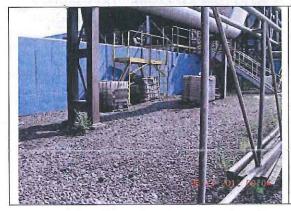
We walked the perimeter of the facility.

I observed, and took a picture of, an outdoor waste treatment pond (Picture 1). Mr. Hudson stated that the pond has a skimmer system that collects what he identified as used oil; I observed and took a picture of the used oil storage containers (Picture 2).



Picture #: 1
Facility: NLMK
Date: June 11, 2012

Photographer: Daniel Chachakis Location: Wastewater Treatment Area Subject: Water Treatment Pond



Picture #: 2 Facility: NLMK Date: June 11, 2012

Photographer: Daniel Chachakis Location: Wastewater Treatment Area Subject: Used Oil Storage containers

I observed, and took a picture of, a tank without a label (Picture 3). Mr. Hudson stated that the facility generates sludge in this tank and other used oil tanks; and that the tank is part of the wastewater treatment system.



Picture #: 3
Facility: NLMK
Date: June 11, 2012

Photographer: Daniel Chachakis Location: Wastewater Treatment Area Subject: Used Oil Storage Tank w/o label I observed, and took a picture of, cardboard containers (Picture 4).



Picture #: 4
Facility: NLMK
Date: June 11, 2012

**Photographer:** Daniel Chachakis **Location:** Waste Management Area

Subject: Cardboard Management Containers

I observed, and took pictures of, what Mr. Olson described as the Roughing Mill Pond (Pictures 5 and 6). Mr. Olson stated that a sludge containing carbon is generated in the pond.



Picture #: 5
Facility: NLMK
Date: June 11, 2012

Photographer: Daniel Chachakis Location: Roughing Mill Pond Subject: Roughing Mill



Picture #: 6
Facility: NLMK
Date: June 11, 2012

Photographer: Daniel Chachakis Location: Roughing Mill Pond Subject: Roughing Mill I observed, and took a picture of, water flowing into a storm drain (Picture 7). Mr. Olson stated that NLMK is using water to cool a malfunctioning heat exchanger.



Picture #: 7
Facility: NLMK
Date: June 11, 2012

Photographer: Daniel Chachakis Location: Heat Exchanger

Subject: Water flowing into sewer

Brightness + 13% Contrast + 13%

I observed, and took a picture of, a silo that Mr. Hudson stated contains hazardous waste K061 (Picture 8).



Picture #: 8
Facility: NLMK
Date: June 11, 2012

Photographer: Daniel Chachakis

**Location:** Air Treatment Operations Area **Subject:** Hazardous Waste Storage Silo

I observed, and took a picture of, containers allegedly holding used oil but marked with the words "Waste Oil" (Picture 9).



Picture #: 9
Facility: NLMK
Date: June 11, 2012

**Photographer:** Daniel Chachakis **Location:** Container Storage Area

Subject: "Waste Oil" Markings on Container

I observed, and took a picture of, oil on the ground (Picture 10). Mr. Hudson stated we were in the area controlled by Tube City.



Picture #: 10 Facility: NLMK Date: June 11, 2012

Photographer: Daniel Chachakis Location: Tube City Scrap Area

Subject: Oil On Ground

I observed, and took a picture of, dust rising from scrap metal operations (Picture 11).



Picture #: 11 Facility: NLMK Date: June 11, 2012

Photographer: Daniel Chachakis Location: Scrap Metal Storage Area

Subject: Dust

I observe water on the ground. Mr. Hudson stated the water was from slag cooling operations.

I observed, and took a picture of, a water collection pond for the scrap yard (Picture 12). Mr. Hudson stated that sludge is generated from the pond, and that the pond is approximately 20' deep, 50' wide, and holds approximately 2.5 million gallons.



Picture #: 12 Facility: NLMK Date: June 11, 2012

Photographer: Daniel Chachakis

Location: Scrap yard Subject: Pond

I observed, and took a picture of, piles of scrap metal (Picture 13). Mr. Hudson stated that the piles of scrap metal were from barges.



Picture #: 13 Facility: NLMK Date: June 11, 2012

Photographer: Daniel Chachakis Location: Scrap Metal Yard Subject: Scrap metal pile

I observed what Mr. Hudson stated was Outfall 002, located where the pier meets the lake.

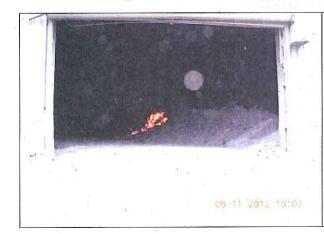
I observed, and took a picture of, a pile of carbon (Picture 14)



Picture #: 14
Facility: NLMK
Date: June 11, 2012

Photographer: Daniel Chachakis Location: Outside Slag Room Subject: Pile of carbon

I observed, and took a picture of, the slag room (Picture 15).



Picture #: 15
Facility: NLMK
Date: June 11, 2012

Photographer: Daniel Chachakis

Location: Outside Slag Room (looking in)

Subject: Pile of slag

Brightness + 33% Contrast + 30% I observed, and took a picture of, liquid oozing from the facility's walls and creating mud (Picture 16). Mr. Hudson stated the liquid was water.



Picture #: 16 Facility: NLMK Date: June 11, 2012

Photographer: Daniel Chachakis Location: Outside slag Room Subject: Water / mud on ground

#### Melt Shop

Mr. Hudson described the process at the melt shop as: scrap is fed into the Electric Arc Furnace and melted at approximately 3,050° F; the operations are controlled from the control room. I observed, and took a picture of, the furnace area and the dust in the area (Picture 17).



Picture #: 17
Facility: NLMK
Date: June 11, 2012

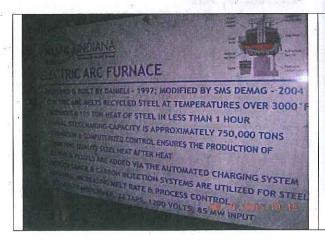
Photographer: Daniel Chachakis

Location: Melt Shop

Subject: Dust in Furnace Area

Brightness: +10% Contrast: +25%

I observed, and took pictures of, signs near the melt shop process line (Pictures 18 and 19).

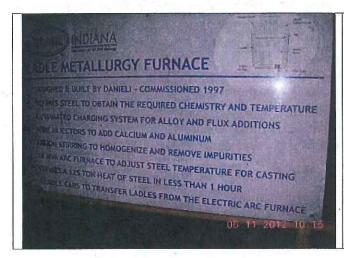


Picture #: 18 Facility: NLMK Date: June 11, 2012

Photographer: Daniel Chachakis

Location: Melt Shop

Subject: Sign



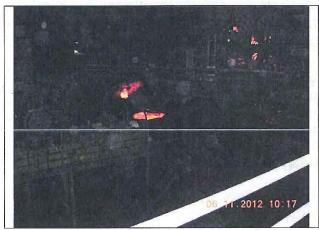
Picture #: 19
Facility: NLMK
Date: June 11, 2012

Photographer: Daniel Chachakis

Location: Melt Shop

Subject: Sign

I observed, and took a picture of, the process area (Picture 20).



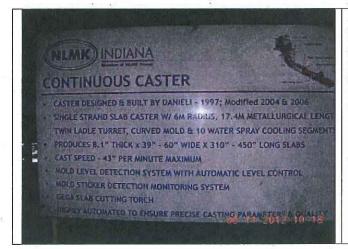
Picture #: 20 Facility: NLMK Date: June 11, 2012

Photographer: Daniel Chachakis

Location: Melt Shop Subject: Process Area

Brightness: +30% Contrast: +27%

I observed, and took a picture of, a sign near the process area (Picture 21).



Picture #: 21 Facility: NLMK Date: June 11, 2012

Photographer: Daniel Chachakis

Location: Melt Shop

Subject: Sign

I observed, and took pictures of, dust and slag in the process area (Pictures 22 and 23).



Picture #: 22 Facility: NLMK Date: June 11, 2012

Photographer: Daniel Chachakis

**Location:** Melt Shop **Subject:** Dust and Slag

Brightness: +50% Contrast: +58%



Picture #: 23
Facility: NLMK
Date: June 11, 2012

Photographer: Daniel Chachakis

**Location:** Melt Shop **Subject:** Dust and Slag

Brightness: +50% Contrast: +58%

We exited the Melt shop. I observed, and took a picture of a swarf material described as grinding material from the Roll Shop (Picture 24).Mr. Olson stated that NLMK generates approximately one 20-yard container of swarf per quarter that is disposed of as a non-hazardous special waste; the swarf potentially contains chrome at "high" levels.



Picture #: 24 Facility: NLMK Date: June 11, 2012

Photographer: Daniel Chachakis

Location: Roll Shop Subject: Swarf material

#### Hot Mill

We entered the Hot Mill building, also known as the East Bay Storage Area. I observed, and took a picture of, material on the ground (Picture 25). Mr. Hudson stated that material was a special waste.



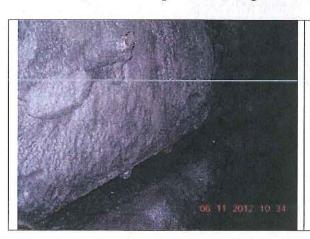
Picture #: 25
Facility: NLMK
Date: June 11, 2012

Photographer: Daniel Chachakis

Location: Hot Mill

Subject: Material on Ground

I observed, and took a picture of, slag carbon (Picture 26).



Picture #: 26 Facility: NLMK Date: June 11, 2012

Photographer: Daniel Chachakis

Location: Hot Mill Subject: Slag Carbon

I observed, and took pictures of, metal flakes from the roller line (Pictures 27 and 28).



Picture #: 27
Facility: NLMK
Date: June 11, 2012

Photographer: Daniel Chachakis

Location: Hot Mill

Subject: Metal Flakes from the Roller Line

Brightness: +30% Contrast: +15%



Picture #: 28
Facility: NLMK
Date: June 11, 2012

Photographer: Daniel Chachakis

Location: Hot Mill

Subject: Metal Flakes from the Roller Line

Brightness: +30% Contrast: +15%

We returned to the administrative area. I began the records review.

### **Records Review**

Waste Analysis

I conducted a review of the following NLMK completed waste analysis forms of the following materials:

- Electric Furnace Dust Analysis (uses monthly composite samples)
- Carbon Mill Scale, dated 12/31/2010 (used totals, not TCLP)
- Grinding swarf TCLP dated 3/2/2012
- S.C.R. Catalyst TCLP dated 3/2/2012
- Carbon Scale, dated 11/18/2011 (used totals, not TCLP)
- Refractory Brick
- Solid Oily Waste
- Scale Pit Sludge
- Scale Sludge
- Electric Furnace Dust (K061)

I asked about dust from the facility floors. Mr. Olson stated NLMK does not run TCLP on the dust; workers gather the dust and place the dust back into the process. According to the Electric Furnace Dust (K061) analysis, the dust contains 23% zinc, 23% Iron, .98% Lead, .03% Cadmium, and other metals.

Mr. Olson stated that Bag House Dust and Vac Truck Dust go to a Treatment, Storage and Disposal Facility (TSDF).

Mr. Olson stated that K061 Bag House Dust and sludge are from the primary production of steel in the electric arc furnaces.

## Manifests

I observed that manifests were available from 2009 to 2012.

I reviewed the LDR form for K061.

I observed that Mr. Olson was the only employee of NLMK who signed the manifests.

I observed that NLMK used two transporters:

- ESR, EPA ID No. IND003938800
- Jack Gray Transporters, EPA ID No. IND042534875

I recorded that NLMK used Horsehead Corporation, EPA ID # IWD003938800, as the designated TSDF facility.

I recorded the following information from the manifests:

January 2012

Generator Date	Manifest #	Quantity	Waste Code	TSDF Date
01/03/2012	008213076JJK	40,850 Pounds	K061	01/03/2012
01/04/2012	008213077JJK	38,800 Pounds	K061	01/04/2012
01/04/2012	008213078JJK	37,700 Pounds	K061	01/04/2012
01/04/2012	008213079JJK	39,250 Pounds	K061	01/04/2012
01/05/2012	008213072JJK	42,250 Pounds	K061	01/05/2012
01/05/2012	008213073JJK	39,000 Pounds	K061	01/05/2012
01/13/2012	008213089JJK	32,750 Pounds	K061	01/13/2012
01/20/2012	008213115JJK	32,900 Pounds	K061	01/20/2012
01/20/2012	008213105JJK	45,150 Pounds	K061	01/20/2012
01/13/2012	008213088JJK	42,650 Pounds	K061	01/13/2012
01/16/2012	008213087JJK	39,950 Pounds	K061	01/16/2012
01/16/2012	008213104JJK	33,800 Pounds	K061	01/16/2012
01/16/2012	008213103JJK	45,600 Pounds	K061	01/16/2012
01/16/2012	008213102JJK	38,250 Pounds	K061	01/16/2012
01/17/2012	008213101JJK	42,700 Pounds	K061	01/17/2012
01/17/2012	008213100JJK	36,500 Pounds	K061	01/17/2012
01/18/2012	008213098JJK	32,850 Pounds	K061	01/18/2012
01/18/2012	008213097JJK	33,900 Pounds	K061	01/18/2012
01/19/2012	008213096JJK	38,050 Pounds	K061	01/19/2012
01/19/2012	008213095JJK	43,350 Pounds	K061	01/19/2012
01/20/2012	008213106JJK	38,750 Pounds	K061	01/20/2012
01/06/2012	008213074JJK	39,150 Pounds	K061	01/06/2012
01/06/2012	008213068JJK	35,550 Pounds	K061	01/06/2012
01/25/2012	008213117JJK	41,300 Pounds	K061	01/25/2012
01/25/2012	008213118JJK	44,200 Pounds	K061	01/25/2012

01/25/2012	008213119JJK	39,050 Pounds	K061	01/25/2012
01/25/2012	008213120JJK	39,800 Pounds	K061	01/25/2012
01/24/2012	008213121JJK	38,450 Pounds	K061	01/24/2012
01/24/2012	008213122JJK	40,150 Pounds	K061	01/24/2012
01/24/2012	008213111JJK	38,300 Pounds	K061	01/24/2012
01/12/2012	008213091JJK	35,850 Pounds	K061	01/12/2012
01/12/2012	008213092JJK	40,200 Pounds	K061	01/12/2012
01/11/2012	008213093JJK	33,800 Pounds	K061	01/11/2012
01/10/2012	008213094JJK	42,850 Pounds	K061	01/10/2012
01/12/2012	008213090JJK	9,300 Pounds	K061	01/12/2012
01/26/2012	008213116JJK	42,650 Pounds	K061	01/26/2012
01/09/2012	008213069JJK	43,700 Pounds	K061	01/09/2012
01/09/2012	008213071JJK	40,650 Pounds	K061	01/09/2012
01/09/2012	008213070JJK	41,250 Pounds	K061	01/09/2012
01/26/2012	008213127JJK	40,850 Pounds	K061	01/26/2012
01/26/2012	008213128JJK	42,850 Pounds	K061	01/26/2012
01/06/2012	008213075JJK	34,600 Pounds	K061	01/06/2012
01/30 2012	008213134JJK	43,800 Pounds	K061	01/20/2012
01/30/2012	008213135JJK	40,250 Pounds	K061	01/30/2012
01/30/2012	008213123JJK	43,250 Pounds	K061	01/30/2012
01/30/2012	008213124JJK	40,700 Pounds	K061	01/30/2012
01/27/2012	008213126JJK	45,850 Pounds	K061	01/27/2012
01/27/2012	008213126ЈЈК	41,900 Pounds	K061	01/27/2012
01/31/2012	008213131JJK	42,000 Pounds	K061	01/31/2012
01/31/2012	008213132JJK	41,250 Pounds	K061	01/31/2012
01/31/2012	008213133JJK	10,950 Pounds	K061	01/31/2012
01/23/2012	008213112ЈЈК	40,950 Pounds	K061	01/23/2012
01/23/2012	008213114JJK	40,500 Pounds	K061	01/23/2012
01/23/2012	008213113JJK	41,550 Pounds	K061	01/23/2012

February 2012

1 columny 2012				
008213188JJK	008213147JJK	008213152JJK	008213187ЈЈК	008213175JJK
008213151JJK	008213186JJK	008213176JJK	008213167JJK	008213185ЈЈК
008213177JJK	008213168ЈЈК	008213184JJK	008213178JJK	008213169JJK
008213183JJK	008213171JJK	008213170JJK	008213182JJK	008213172JJK
008213130JJK	008213179ЈЈК	008213173JJK	008213129JJK	008213159ЈЈК
008213147ЈЈК	008213145JJK	008213160JJK	008213146ЈЈК	008213144JJK
008213140JJK	008213158JJK	008213143ЈЈК	008213157ЈЈК	008213142JJK
008213148JJK	008213156JJK	008213141JJK	008213139ЈЈК	008213155JJK
008213110JJK	008213138JJK	008213154JJK	008213109JJK	008213137JJK
008213153JJK	008213108JJK	008213107JJK	008213166JJK	008213150JJK
008213166JJK	008213136JJK			
008213140JJK 008213148JJK 008213110JJK 008213153JJK	008213158JJK 008213156JJK 008213138JJK 008213108JJK	008213143JJK 008213141JJK 008213154JJK	008213157JJК 008213139JJК 008213109JJК	008213142JJK 008213155JJK 008213137JJK

March 2012

008213161JJK	008213253JJK	008213192JJK	008213162JJK	008213252JJK
008213191JJK	008213163JJK	008213251JJK	008213190JJK	008213164JJK
008213250JJK	008213189JJK	008213165JJK	008213236JJK	008213245JJK
008213255JJK	008213235JJK	008213244JJK	008213247JJK	008213258JJK
008213241JJK	008213243JJK	008213246JJK	008213199JJK	008213242JJK
008213198JJK	008213257JJK	008213197JJK	008213205JJK	008213256ЈЈК
008213196ЈЈК	008213204JJK	008213254JJK	008213195JJK	008213203JJK
008213248ЈЈК	008213194JJK	008213202JJK	008213249JJK	008213195JJK
008213201JJK	008213200JJK	008213211JJK	008213181JJK	008213210ЈЈК
008213180JJK	008213209JJK	008213240JJK	008213208JJK	008213239JJK
008213220JJK	008213238ЈЈК	008213219JJK	008213237JJK	008213218JJK
008213213JJK	008213207ЈЈК	008213212JJK	008213217JJK	

We ended Day 1 at approximately 4:30 PM and departed the site.

Day 2, June 12, 2012

## **Records Review**

We arrived at approximately 7:30 AM. I continued with the Records Review.

Manifests (continued)

April 2012

008213233JJK	008213234ЈЈК	008213276JJK	008213284JJK	008213275JJК
008213283JJK	008213222JJK	008213289ЈЈК	008213282JJK	008213223JJK
008213286ЈЈК	008213294ЈЈК	008213224JJK	008213285JJK	008213293JJK
008213225JJK	008213259JJK	008213292JJK	008213226JJK	008213274JJK
008213291JJK	008213214JJK	008213273JJK	008213290JJK	008213215JJK
008213272JJK	008213227JJK	008213267ЈЈК	008213270JJK	008213228JJK
008213216JJK	008213271JJK	008213229JJK	008213281JJK	008213269JJK
008213230JJK	008213297JJK	008213261JJK	008213231JJK	008213280JJK
008213268JJK	008213232JJK	008213277JJK	008213260JJK	

May 2012

008213324JJK	008213309ЈЈК	008213308JJK	008213321JJK	008213265JJK
008213320JJK	008213266JJK	008213319JJK	008213298JJK	008213303JJK
008213296JJK	008213302JJK	008213297JJK	008213301JJK	008213295JJK
008213300JJK	008213318JJK	008213299JJK	008213317JJK	008213307JJK
008213316JJK	008213306JJK	008213315ЈЈК	008213305JJK	008213314ЈЈК
008213304JJK	008213329JJK	008213313JJK	008213328JJK	008213312JJK
008213327JJK	008213311JJK	008213261JJK	008213310ЈЈК	008213325JJK

May 2012 waiting for TSDF return signature copy manifests

EPA ID#	Generator Date	EPA ID#	Generator Date
008213322JJK	5/21/2012	008213348JJK	5/29/2012
008213338JJK	5/29/2012	008213339JJK	5/29/2012
008213340JJK	5/29/2012	008213341JJK	5/25/2012
008213342JJK	5/25/2012	008213343JJK	5/24/2012
008213323JJK	5/18/2012	008213330JJK	5/24/2012
008213331JJK	5/23/2012	008213332JJK	5/23/2012
008213333JJK	5/22/2012	008213334JJK	5/22/2012
008213335JJK	5/22/2012	008213336JJK	5/21/2012

Non-hazardous Waste Profiles

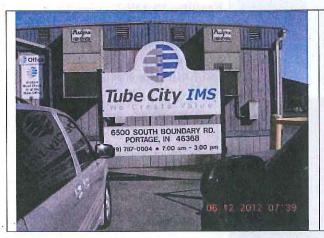
I reviewed the following non-hazardous waste profiles:

Profile #	Waste	Description
KP0600	Scale slag sludge; 100% carbon oxide	Scale from steel slabs
104066IN	Scale / Sludge; Carbon 80%, Lime 10%, Gravel / dirt 10%	Sediment from cooling water
505447	Refractory Brick; 100% refractory brick	EAF furnace brick / ladle brick / reheat furnace brick
002830	Grinding Swarf; 100% swarf	Roll grinding
104043IN	Scale Pit Sludge; 90 - 100% sludge	Scale pit sludge

We excited the administrative area and walked to the Tube City IMS site.

### Site Tour (continued): Tube City

Mr. Olson escorted us to Tube City IMS. I observed, and took a picture of, the sign for Tube City IMS (Picture 29).



Picture #: 29 Facility: NLMK Date: June 11, 2012

Photographer: Daniel Chachakis

Location: Tube City IMS

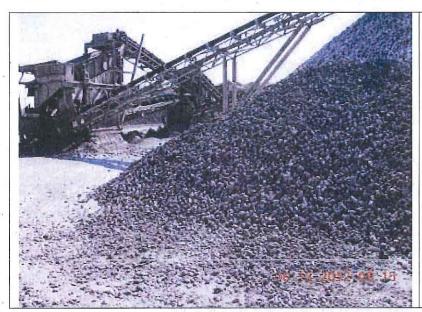
Subject: Sign

We entered the office of Tube City IMS. Greg Wieczorek, Site Supervisor, stated that Tube City IMS digs the slag from the pits, then process the slag into 3" pieces which are then sold as

product. A crusher is located on site. Tube City IMS is able to process metal out of the slag and sends the processed material back to NLMK. Tube City IMS generates hazardous waste solvents, waste oil, and universal wastes. The site does not have an EPA ID. All waste is processed through NLMK. Tube City IMS employs approximately 43 personnel.

Mr. Wieczorek stated that the site uses water to quench the slag and for dust control. He stated they process about 118 tons of slag a year.

We walked the site. I observed, and took a picture of, a pile of 3" thick slag (Picture 30)



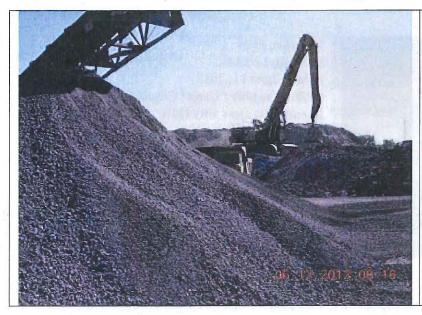
Picture #: 30 Facility: NLMK Date: June 11, 2012

Photographer: Daniel Chachakis

Location: Tube City IMS

Subject: Slag Pile

I observed, and took a picture of, what was described by Mr. Wieczorek as the "fines" file (Picture 31).



Picture #: 31 Facility: NLMK Date: June 11, 2012

Photographer: Daniel Chachakis

Location: Tube City IMS Subject: Fines Pile

I observed, and took a picture of, a slag pile undergoing the final quenching process (Picture 32).



Picture #: 32 Facility: NLMK Date: June 11, 2012

Photographer: Daniel Chachakis

Location: Tube City IMS

Subject: Slag pile

I observed, and took a picture of, a pile of scrap that NLMK will use after processing (Picture 33).



Picture #: 33
Facility: NLMK
Date: June 11, 2012

Photographer: Daniel Chachakis

Location: Tube City IMS Subject: Scrap Metal Pile

I observed the pump house.

We returned to NLMK property.

### Site Tour: NLMK

I observed, and took a picture of a solid waste pile (Picture 34).



Picture #: 34
Facility: NLMK
Date: June 11, 2012

Photographer: Daniel Chachakis Location: Overflow Scrap Area Subject: Solid Waste Pile

I observed, and took a picture of, a scrap pile (Picture 35).



Picture #: 35
Facility: NLMK
Date: June 11, 2012

**Photographer:** Daniel Chachakis **Location:** Overflow Scrap Area

Subject: Scrap Pile

I observed, and took a picture of, the back side of the scrap pile in Picture 35 (Picture 36).

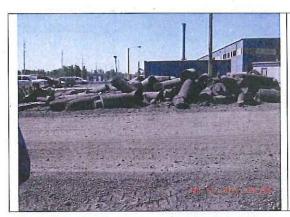


Picture #: 36
Facility: NLMK
Date: June 11, 2012

Photographer: Daniel Chachakis Location: NLMK Property Subject: Back of Scrap Pile

We walked past a trucking company building on NLMK property. I observed the presence of a truck tire in a dumpster. We continued to walk the property line. I observed the presence of a car tire in a ditch.

I observed, and took a picture of, what Mr. Olson stated was used electrodes (Picture 37). Mr. Olson stated the used electrodes are crushed by a vendor for re-use.



Picture #: 37
Facility: NLMK
Date: June 11, 2012

Photographer: Daniel Chachakis

Location: NLMK Property Subject: Used Electrodes

I observed, and took a picture of, graphite electrodes (Picture 38).



Picture #: 38
Facility: NLMK
Date: June 11, 2012

Photographer: Daniel Chachakis Location: NLMK Property Subject: Graphite Electrodes

We returned to the administrative area, and I continued the records review.

#### Records Review (continued)

#### Contingency Plan

Mr. Olson provided us with the facility's June 2008 Spill Prevention Control and Countermeasures Plan (SPCC), and the 3-11-09 revised Emergency Action Plan (EAC) which became effective on 11-01-92. These plans serve as NLMK's contingency plan as required by RCRA. I recorded the following information derived from the plans:

- The home address was missing for the emergency coordinator
- The emergency equipment list on page 3 of the SPCC lists spill response materials but did not include an outline of the capabilities for each item of equipment.
- Page 9 of the EAC uses the term Emergency Coordinator, but does not describe who the person is. This was corrected at the time of the inspection.
- Neither plan addressed safeguard measures for explosions. This was corrected at the time of the inspection.

- Neither plan addressed safeguard measures for spills of hazardous waste K061.
- There was no indication that the plan was sent to police agencies, spill response contractors, or port security.

#### Biennial Reports

The biennial reports were kept on site. I recorded that the facility generated approximately 17,765 pounds of K061 dust as reflected in report year 2011.

#### Waste Minimization Program

Initially, Mr. Hudson was unable to provide a written waste minimization program, but later he presented the document to the inspectors. The facility maintains written waste minimization program on-site.

#### Training

I recorded the following names of personnel that are part of the facility's hazardous waste program:

- James Vargus, Mechanic Journeyman
- Elishbeth Lacky, Mechanic Journeyman
- Rick Cross, Mechanic Journeyman
- Tom Olson, Environmental Manager
- John Hudson, Senior Manager of Safety and Environmental

#### Site Tour (continued): NLMK

We continued the walkthrough with Mr. Olson, specifically looking at Water program items of interest. I observed, and took pictures of, a compressor house with staining at the south end of the facility. Mr. Olson stated the material was an oil / water mix (Pictures 39).



Picture #: 39 Facility: NLMK Date: June 12, 2012

**Photographer:** Daniel Chachakis **Location:** NLMK Property

Subject: Hose and stains

I observed, and took a picture of, a container marked with the words "Bad Oil" (Picture 40).



Picture #: 40 Facility: NLMK Date: June 11, 2012

Photographer: Daniel Chachakis

Location: NLMK Property

Subject: "Bad oil"

I observed, and took a picture of, a material from what Mr. Olson described as a leaking transformer that is part of the wastewater treatment system (Picture 41).



Picture #: 41 Facility: NLMK Date: June 12, 2012

Photographer: Daniel Chachakis

Location: Wastewater treatment system

Subject: Leaking Transformer

We proceeded to the Melt Shop area. I observed, and took a picture of, a bucket loader in the Door 8 area (Picture 42).



Picture #: 42 Facility: NLMK Date: June 12, 2012

**Photographer:** Daniel Chachakis **Location:** Melt Shop, Door 8 **Subject:** Bucket Loader area

I observed, and took a picture of, some mud (Picture 43). Mr. Olson stated that the mud was disposed of as non-hazardous waste.



Picture #: 43 Facility: NLMK Date: June 12, 2012

**Photographer:** Daniel Chachakis **Location:** Melt Shop, Door 8

Subject: Mud

I observed, and took a picture of, an oil / water mixture potentially from a carbon pile (Picture 44).



Picture #: 44
Facility: NLMK
Date: June 12, 2012

Photographer: Daniel Chachakis

Location: Melt Shop Subject: Oil / water mixture

We proceeded back to the conference room. The EPA Air Inspector conducted an out brief with Mr. Hudson.

We discussed the subject of CBI again. Mr. Hudson did not make any CBI claims at this time.

We discussed the subject of dust. Mr. Olson stated that dust is generated in the melting steel area in the melting room; he stated that employees sweep up the dust and put it back into the furnace. Mr. Olson stated that the dust is potentially not a hazardous waste until it exits the air treatment system.

We departed the facility at approximately 4:00 pm.

Day 3, June 13, 2012

We arrived at approximately 8:20 AM.

#### Records Review

Training Records

I reviewed three training programs that included lockout / tag-out and shutdown procedures, Hazardous Communication, and a new employee orientation packet that included spill containment procedures. Mr. Hudson stated that new employees completed the orientation packet items within 14 days of hiring and receives an annual refresher thereafter.

I recorded that Mr. Craige Kitchen serves as NLMK's Safety Director; Mr. Kitchen maintains a training history spreadsheet.

#### Site Tour (continued) NLMK

We conducted an additional walkthrough for our water inspectors. When we reached the scrap yard, Mr. Olson stated the yard is paved, but covered with dirt. We then proceeded back to the conference room.

The EPA water Inspector led a discussion concerns with Mr. Hudson.

Mr. Hudson and I discussed the following information pertaining to the facility's hazardous waste management onsite:

- There are no closed hazardous waste permitted areas
- NLMK is not a treatment, storage or disposal facility (TSDF)
- NLMK does not have any variances
- There were no reportable spills or releases

#### **Records Review (continued)**

Training Records (continued)

I observed that there were job titles with the names of employees, written job descriptions, and documentation of training records; however, the type and amount of introduction and annual training were not in the record.

#### Site Tour (Continued): NLMK

Mr. Olson and I proceeded to the Hot Strip Mill, starting with the coil area in the south end of the building. I observed that the facility consisted of three stories, two of them underground.

I observed that the facility had fire extinguishers on-site.

I observed the presence of dust on the equipment and on the floor. Mr. Olson stated that NLMK collects dust and places the dust in a bin next to the carbon bin. Mr. Olson stated that there was no hazardous waste determination completed for the dust.

We proceeded to the maintenance area. I observed, and took a picture of, the maintenance area, including the dust (Picture 45).



Picture #: 45
Facility: NLMK
Date: June 13, 2012

Photographer: Daniel Chachakis Location: Maintenance Area

Subject: Dust

Brightness: +55% Contrast: +58%

I observed, and took a picture of, a "waste oil" marking (Picture 46).



Picture #: 46
Facility: NLMK
Date: June 13, 2012

Photographer: Daniel Chachakis Location: Maintenance Area Subject: Waste oil marking We proceeded to the Press Area. I observed, and took a picture of, material on the ground from a container without label or marking (Picture 47). Mr. Olson stated the container holds used oil.



Picture #: 47
Facility: NLMK
Date: June 13, 2012

Photographer: Daniel Chachakis

Location: Press Area

Subject: Container without label

Brightness: +20% Contrast: +25%

I observed, and took a picture of, oil containers without containment (Picture 48).



Picture #: 48
Facility: NLMK
Date: June 13, 2012

**Photographer:** Daniel Chachakis **Location:** Maintenance Area

Subject: Oil containers without containment

We proceeded to the Roll Shop. I observed, and took a picture of, a container of oily debris (Picture 49).



Picture #: 49
Facility: NLMK
Date: June 13, 2012

Photographer: Daniel Chachakis

Location: Roll Shop Subject: Oily debris We proceeded to the North 7 Belt Shop. I observed the presence of eyewash stations.

We proceeded to the Melt Mechanical Shop. I observed, and took a picture of, a pile of dust (Picture 50).

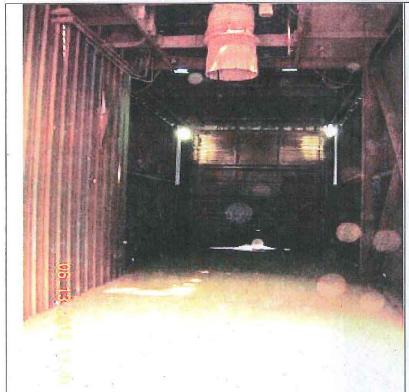


Picture #: 50 Facility: NLMK Date: June 13, 2012

**Photographer:** Daniel Chachakis **Location:** Melt Mechanical Shop

Subject: Pile of dust

We proceeded to the bag house. I observed, and took a picture of, the load point (Picture 51).



Picture #: 51 Facility: NLMK Date: June 13, 2012

Photographer: Daniel Chachakis

Location: Bag House Subject: Load Point

Brightness: +50% Contrast: +65% I observed, and took pictures of, a system overflow of dust (Pictures 52 and 53). Dust blew from the system while I was present.



Picture #: 52 Facility: NLMK Date: June 13, 2012

Photographer: Daniel Chachakis

Location: Bag House Subject: Interior Dust



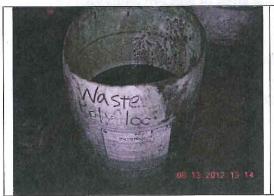
Picture #: 53
Facility: NLMK
Date: June 13, 2012

Photographer: Daniel Chachakis

Location: Bag House Subject: Interior Dust

We walked outside the bag house. I observed a vacuum truck. Mr. Olson stated the truck was used to vacuum fugitive dust from the bag house. I observed that there were no hazardous waste labels or markings on the trailer supporting the vacuum truck.

We proceeded to a wastewater treatment plant. I observed, and took a picture of, what Mr. Olson described as waste polyfloc (Picture 54)



Picture #: 54
Facility: NLMK
Date: June 13, 2012

**Photographer:** Daniel Chachakis **Location:** Wastewater Treatment area

Subject: Waste polyfloc

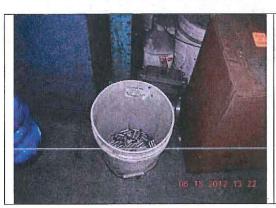
I observed, and took a picture of, empty or near-empty electronic cleaner cans (Picture 55).



Picture #: 55
Facility: NLMK
Date: June 13, 2012

**Photographer:** Daniel Chachakis **Location:** Wastewater treatment area **Subject:** Electronic cleaner spray cans

We entered a warehouse. I observed, and took a picture of, batteries in the warehouse (Picture 56).



Picture #: 56
Facility: NLMK
Date: June 13, 2012

Photographer: Daniel Chachakis

**Location:** Warehouse Subject: Batteries

We returned to the conference room.

#### **Closing Conference**

I was the only EPA representative at the closing conference, as each EPA inspector completed their respective areas of responsibility and out-briefed Mr. Hudson prior to their departure. I summarized the used oil, container management, waste determination, training program and other issues identified during the inspection. I briefed Mr. Hudson, Mr. Olson; and Mr. Les Chapman, president of OCS Environmental, Inc. Potential areas of concern included:

- Used oil: small spills; use of the term "used oil" as opposed to "bad oil" or "waste oil."
- Containers with no labels of description of contents, dust covered labels and signs.
- Dust: no hazardous waste determination.
- Waste Polyfloc: no hazardous waste determination.
- Red trailer: requirement to mark or label with the words "hazardous waste" and the accumulation start date.
- The contingency plan
- Training requirements for each job title.

- Waste determinations: the determination state swarf contains swarf, and sludge contains sludge, without further analysis.
- The release of material within the bag house area.
- Potential de-listing of the K016 hazardous waste.

I departed the facility at approximately 3:30 PM.

## **Attachment**

Checklist

# ATTACHMENT Checklist

NLMK Indiana IND 734904466

# U.S. EPA Generator Checklist for Indiana

6/10/2012

# PART 262: Standards Applicable to Generators of Hazardous Waste

¥.	40 CFR	NA = Not Applicable, NI = Not Inspected, OK = In Compliance, DF = Deficiency	NA	NI	ок	DF
Ì		GENERAL	NA	NI	ок	DF
1	262.11	Hazardous Waste Determination (characteristic, listed, TCLP, knowledge, exclusions) Dust from floor, watered in 12 drum	,			X
2	262.12(a)	EPA Identification Number (Generator must have ID number)			X	
3	262.12(c)	Generator must not offer waste to transporters or facilities that have not received ID number.			X	
	IAC 3.1-7/4-6 & 11	THE MANIFEST	NA	NI	ок	DF
4	262.20	General Requirements (manifest to approved TSD/alt. TSD, SQG reclaim exemption on file)(all required info)		i	X	
5	262.21	Manifest Acquisition (generator state 1st, consignment state 2nd)			X	
6	262.22	Number of Copies (generator, transporters, TSD, & 1 copy returned to generator)			X	
7	262.23	Manifest Use (signature & date: generator, transporter, TSD, keep copy)			X	
8	329 IAC 3.1- 7-4	Indiana Manifest required for hazardous waste shipped to Indiana TSD Facilities ปกร			X	
9	329 IAC 3.1- 7-6	Manifest copies available for review, submitted copies within 5 days after shipping		X		
		PRE-TRANSPORT REQUIREMENTS				
		NOTE:If facility treats in < 90 day tanks or containers, see 268.7				
10	262.30, 31, 32, 33	Packaging, Labeling, Marking, Placarding (DOT regulations) (Only apply if waste is in the process of being transported)	X			
		LARGE QUANTITY GENERATORS	NA	NI	ОК	DF
11	262.34(a)	90 Day accumulation limit: Generator may accumulate on-site for 90 days or less provided that:			X	
12	262.34(a)(1)	Waste is placed in tanks, containers, containment building, or drip pad	X			
13	262.34(a)(2)	Container marked with start of accumulation date	X			
14	262.34(a)(3)	Container/tank marked "Hazardous Waste"			X	
15	262.34(b)	30 Day extension	Х			
		SATELLITE CONTAINERS	NA	NI	ок	DF
16	262.34(c)(1)	Satellite accumulation (55 gal. maximum or one (1) quart acutely hazardous)	X			
17	262.34(c)(l)	i) Container must be closed when not in use, in good condition, and compatible with waste	X			
18	262.34(c)(l)	ii) marked "Hazardous waste" or other words, at or near process and under control of operator	X			

# U.S. EPA Generator Checklist for Indiana

6/10/2012

		· · · · · · · · · · · · · · · · · · ·				
19	262.34(c)(2)	If exceed 55 gal., container must be marked with accumulation date and must be removed within 3 days	X			
		SMALL QUANTITY GENERATOR	NA	NI	ок	DF
20	262.34(d)(e) (f)	SQG Requirements - 180 days or less (unless transported over 200 miles), quantity of hazardous waste on-site 6000 kg. or less, must follow:	1			
21	262.34(d)(4)	Containers marked with start of accumulation date and words "Hazardous Waste"	erebouwer were makening.			
22	262.34(d)(4)	Must also comply with 265 Subpart C and I. See pages 4 and 5.				
23	262.34(d)(5)	i) Emergency coordinator identified	-			
24	262.34(d)(5)	ii) Following info posted: emergency coordinator, emergency equipment location, phone numbers				
25	262.34(d)(5)	iii) Employees must be familiar with handling and emergency procedures				
26	262.34(d)(5)	iv) Respond to emergencies	A Park			
		RECORD KEEPING	NA	NI	ОК	DF
27	262.40	RECORD KEEPING (3 yrs. for copy from manifests, TSD, biennial report, exception report, test results, waste analysis/determination, extension time for unresolved enforcement.)			X	
28	262.41	Biennial Report (due March 1 even numbered years) (LQG ONLY)			X	
29	262.42	Exception Reporting (LQG: >35 days, if no return copy of manifest, contact TSD: >45 days report to IDEM, (SQG: >60 days) transportation report to IDEM)	X			
30	262.43	Additional Reporting , if required by Commissioner (concerning quantities and disposition of wastes in 40 CFR 261)	X			
31	262.44	SQG Recordkeeping Requirements (keep records for 3 years: manifests, exceptions, waste determination/analysis)	X			
		EXPORTS	NA	NI	ОК	DF
32	262.52	General Requirements (notify EPA, accepted by receiving country, EPA consent)	1			
33	262.53	Notification of Intent to Export				
34	262.54	Special Manifest Requirements for Primary Exporters				12.1. 1.71
35	262.55	Exception Reports (>45 days from US departure, >90 days from receipt by foreign source/waste returned to US)	A COLUMN TO THE PERSON TO THE			
36	262.56	Annual Reports (March 1 annually for waste: types, quantity, frequency, destination, waste reduction send to EPA)	eat d go syntage and significant	,		
37	262.57	RECORD KEEPING (3 years for intent to export, EPA acknowledgments, confirmation of delivery, and annual reports)	And the second			
		IMPORTS OF HAZARDOUS WASTE	NA	NI	ок	DF
38	262.60	Hazardous Waste Imports (use consignment state's manifest)	and the second			

# U.S. EPA Generator Checklist for Indiana

6/10/2012

	**		r			1
		TSD STANDARDS APPLIABLE TO GENERATORS	NA	NI	ОК	DF
		GENERAL FACILITY STANDARDS (NA for SQG)				
39	262.34 / 265.16(a)	Personnel Training (Program Adequacy)			X	秀
40	262.34 / 265.16(b)	Personnel received training within six (6) months			X	
41	262.34 / 265.16(c)	Personnel received annual review	1		X	
42	262.34 / 265.16(d)	Training Documents: job titles, job description, (ype of training) training records				X
		PREPAREDNESS AND PREVENTION	NA	NI	ок	DF
43	262.34 / 265.31	Maintenance & Facility Operation(must be maintained & operated to minimize possibility of release)				X
44	262.34 / 265.32	Required Equipment (a. Internal alarm/communication system b. External/telephone communication c. Fire extingishers and spill control equipment d. water/foam)	·		X	
45	262.34 / 265.33	Testing & Maintenance of Equipment			X	
46	262.34 / 265.34	Communication & Alarm Access			X	
47	262.34 / 265.35	Required Aisle Space (to allow movement of spill control and emergency equipment and inspections)			X	
48	262.34 / 265.37	Local Authority Arrangements (police, fire, hospital)  Alice - No . Port security, no. Mutual and fire - No				X
		CONTINGENCY PLAN & EMERGENCY PROCEDURES (NA for SQG)	NA	NI	OK	DF
49	262.34 / 265.51	Contingency Plan for Facility			X	
50	262.34 / 265.52	Contingency Plan Content (SPCC plan, local arrangements, emergency coordinator, equipment list, evacuation plan, etc.)				×
51	262.34 / 265.53	Contingency Plan Available (on-site, local distribution)			X	
52	262.34 / 265.54	Contingency Amendments (when regulations change, if plan fails, when facility makes changes)			X	
53	262.34 / 265.55	Emergency Coordinator available			X	
54	262.34 / 265.56	Emergency Procedures followed	X			
		USE & MANAGEMENT OF CONTAINERS	NA	NI	ОК	DF
55	262.34 <i>l</i> 265.171	Container Condition (If not in good condition or leaking, must transfer waste or manage in some other way)			×	

# U.S. EPA Generator Checklist for Indiana 6/10/2012

		et per and its			· <del></del>	
56	262.34 / 265.172	Waste Compatibility with Container			X	
57	262.34 <i>l</i> 265.173	Container Management (closed/manged to prevent leaks)			X	
58	262.34 <i>l</i> 265.174	Inspections (weekly) Laily of Air Suptem			X	
59	262.34 <i>l</i> 265.176	Ignitable/Reactive Waste (50 ft. set back)	×			
60	262.34 <i>l</i> 265.177	Special Requirements for Incompatible Waste (physical separation/container compatibility)	X			
		LAND DISPOSAL RESTRICTIONS	NA	NI	ОК	DF
61	268.3	Dilution prohibited as substitute for adequate treatment			X	
62	268.7	Waste Analysis, Recordkeeping (LDR Notifications: waste code, whether it is a wastewater or non-wastewater, waste constituents to be monitored if monitoring will not include all regulated constituents, subcategory if applicable, and manifest number.)				×
63	268.7 (a)(4)	Treatment in 90-day tanks/containers requires waste analysis plan and testing frequency, filed with Regional Administrator (IDEM), certification of shipment, retained copies on-site (5 yrs.), notifications include: EPA ID #, treatment standards with 5 letter code, and manifest number	×			
64	268.7(a)(7)	Notifications must be kept on-site for five (5) years				X
65	268.9	Listed and characteristic waste codes assigned for listed waste exhibiting characteristic			X	
66	268.42	Alternative treatment specified for lab packs, mixed waste: most stringent standards	X			
67	268.45	Treatment standards for hazardous debris	×			
		OTHER	NA	NI	ОК	DF
68	IC 13-30	Release of contaminants to environment	X			
69	IAC 3.1-7-8	Facility has waste minimization program as certified on manifest	1		X	×
70	IC 13-30-2-1 (9)	Does facility have any processes or activities (e.g. waste piles, incinerators, land disposal) which require a permit or interim status? If so, please identify below:	X			

IND984904466

# NLMK Indiana Multimedia Compliance Evaluation Inspection Summary of Findings

August 10, 2012

The U.S. Environmental Protection Agency's Office of Enforcement and Compliance Assurance (OECA) located at Region 5 selected NLMK Indiana, located in Portage, Indiana, as a multimedia target for FT 2012. OECA then worked with the program offices of EPA Region 5 to secure inspectors for the multimedia compliance evaluation inspection (CEI).

Region 5 management selected the following personnel to conduct the multimedia CEI of NLMK Indiana: Dan Chachakis from the Land and Chemicals Division as the RCRA inspector and team leader, Eleanor Kane from the Air Division as the Air inspector, Valdis Aistars and Keith Middleton from the Water Branch as the Water inspectors, and Philip Wicklein from the Oil Planning and Response Section as the SPCC inspector. Management of the Office of Regional Counsel selected Susan Tennenbaum to be the legal office liaison.

The inspection team conducted the CEI from June 11 to June 13, 2012. Each Team member conducted an out brief with facility representatives as they completed their portion of the inspection. The team leader conducted the final closing conference on June 13, 2012. The following is a list of concern for the NLMK Indiana facility.

Regulation or Permit	Issue of Concern
Reference	
	RCRA
40 CFR 279.22(c)(1)	Used oil marking or labeling: inappropriate use of the terms "waste oil"
	and "bad oil"
40 CFR 279.22(d)(3)	Used oil: management of small spills
40 CFR 262.11	Hazardous waste determinations: required for dust and waste polyfloc.
	Improved waste determinations for swarf and sludge.
40 CFR 262.34(a)(3)	Hazardous waste container markings, red trailer: must mark or label with
	the words, "hazardous waste"
40 CFR 262.34(a)(4)	Training program: requires training requirements for each job title
to 265.16(d)(3)	
OSHA	Containers without labels or markings describing the contents of the
	containers. [Not a concern EPA can act on, but we can bring this the
	facility's attention in our correspondence]

Regulation or Permit Reference	Issue of Concern	
	Water	
Part I. A. 2.	Annual visual inspections are to be conducted at the outfall and the results shall be recorded and maintained as part of the SWPPP. The SWPPP does not include this requirement.	
Part I. D.2.d.	Comprehensive Site Compliance Evaluation to be conducted at least once per year. They have never conducted one.	
Part I. D. 2. b.(4) and (5)	There are areas where storm water can runoff the property and needs to be contained because it can come into contact with raw materials used in the production of steel (i.e., material storage yard has several locations; area by bag house where carbon wastes are stored).	
Part I. D. 2. b.(4) and (5)	There are areas where storm water needs to be contained because it can come into contact with waste materials from the production of steel (i.e., quench area leaks from melt shop building; several areas on western side of facility where storage totes are not contained; uncovered storage materials by the north water treatment plant).	
Part I. D. 2. c.(1) and (4)	There are areas where storm water controls need to be provided, reinforced, or instituted. Some areas have not been addressed even though quarterly inspections have indicated that there is a problem (i.e., jersey barriers need to be placed around a storm sewer (where Outfall 002 sampling is conducted)).	
Part I. D. 2. b.	The SWPPP does not address the entire NLMK-Indiana property. Specifically, it does not include the property on the eastern side of the facility which includes the area where Tube City conducts their slag processing operations, the trucking company has offices/parking, and where various materials are stored.  Rain event inspections have not been conducted as required by the SWPPP.	
Part I. D. 2. b. (2) (I)	The locations of implemented Best Management Practices (BMPs) are not shown in the SWPPP.	
Part I. D. 2. b. (2) (J)	All the locations of on-site storage tanks are not shown in the SWPPP.	
Part I. D. 2. b. (2) (L)	Unloading areas of solid and liquid bulk materials are not shown in the SWPPP.	
Part I. D. 2. b. (2) (M) (N) (Q)	All drums, totes, fuel tank storage areas, and waste storage areas are not shown in the SWPPP.	
Part I. D. 2. b. (2) (M) (N) (O)	All outdoor storage areas and processing areas are not shown in the SWPPP.	
Part I. D. 2. b. (2) (C	The approved SWPPP should clearly label all receiving waters, including the West Arm of Burns Waterway Harbor.	
Part I. D. 2. c. (1) (E)	Stormwater training needs to be included as part of the annual training provided to the employees.	
Part I. D. 2. a.	The stormwater team needs to include more than the two current members in order to effectively implement the SWPPP. Each member's duties need to be clearly spelled out.	

Part I. D. 2. b. (3)	Topographic data needs to be incorporated into the maps detailing the
(A)	flow patterns that clearly show drainage basins on the facility property.
	The team members responsible for implementation of the SWPPP need to
	have closer oversight of the activities of the contractors conducting the
	quarterly inspections. Problems uncovered during the inspections need to
	be addressed promptly.
Part I. D. 2. b.	The site maps in the SWPPP need to show the entire property, including
	the material storage area on the north side, the area east of the melt shop
	and hot strip mill used for storage, and the area used by Tube City IMS.
Part I. D. 2. e. (4)	Any updates to the stormwater management plan, such as the use of
(A)	stormwater inlet filter fabrics, should be included in an updated SWPPP.
	A schedule for changing the filter fabrics should also be included.

Regulation or Permit Reference	Issue of Concern
	SPCC
112.7(a)(3)(ii)	Failure to describe in the plan discharge prevention measures including procedures for routine handling of products. Not in the plan.
112.8(c)(8)(v)	Failure to regularly test liquid level sensing devices to ensure proper operation. No statement that devices are tested in the plan.
112.7(c)	Failure to provide appropriate containment and/or diversionary structures or equipment to prevent discharge for the loading / unloading area.
112.8(c)(2)	Failure to construct all bulk storage tank installations to provide a secondary means of containment for the entire capacity of the largest single container and sufficient freeboard to contain precipitation for portable containers in place at the time of the inspection
112.5(b)	Failure to implement an amendment as soon as possible, but no longer than six months following preparation of the amendment. There were plans to add containment of an area at the melt shop bag house that were not implemented within six months of the amendment to the plan.

Regulation or Permit Reference	Issue of Concern
	Air
D.1.16 and D.1.8(a)	Some of the daily records indicated they had processed more than their permitted limit of 151 tons per day
D.1.14	There had been several exceedences of the NOx emissions limit
D.1.14	Records were not available for the calibration of the equipment measuring pressure differentials in the bag house
D.1,9	The facility did not have a preventative maintenance plan for the actual bag house system, or for the Hot Strip Mill SCR
D.2.11	Permit condition was included in error, as it contained requirements for equipment not at the facility
D.1.16(d)	Mr. Olson had mentioned that they planned to change their daily log system

so that they had a page even for days when the system was down. I noted for his that the permit in fact required that such records be kept, so that it would
 be clear if/when a page was missing from the records.
 NLMK is considered a minor source of HAPs (A.1), but Tube City is
considered a major source.
There were a lot of fugitive emissions from the roadways and from the scrap
yards at the time of the inspection.

Point of contact: Daniel Chachakis, Land Chemicals Division / RCRA Branch / Compliance Section 1; 312-886-9871 or chachakis.daniel@epa.gov.

IN0984904466.

# LAND AND CHEMICALS DIVISION

Type of Document:	Inspection Report	× ×	
Name of Document:	NLMK RCRA Inspection Report		
	NAMES	DATE	
AUTHOR:	Dan Chachakis JFC	8-9-12	
APA:	Ruben Aridge RBA	8-9-12	
SECTION CHIEF:	Lorna Jereza m	8/29/12	
BRANCH CHIEF:	0		
DIVISION APA:			
DIVISION DIRECTOR:			
OTHERS:		-	
	1	ж 8 — «	
DRA:			
RA:			
	*		
RETURN TO:	Dan Chachakis		
PHONE:	6-9871		
COMMENTS.			
COMMENTS:		, , , , , , , , , , , , , , , , , , ,	
ī	а о		
£		·	

Natte 16 & 155 1154 IN0984904466

Photo Number	Description (Include date and location) Photographer: Phillip Wicklein Witnesses: Date: June 11, 2012 Facility: W. Mky Indiana
Number	Direction Date Time Witnesses Subject
SPEL	Phil Wicklern EPA 317 886 0185 with the grand gov Eleanor tane, EPA, 312-353-4840
Air	Eleanor Kane, EPA, 312-353-4840
	kane. eleanor @ epa.gov
RCRA	Dan Chachahis, EPA 312-886-9871 chachahis, daniel@epa, gov Eddy Depositar IDEM 219-7570265
ID EN OWQ	EDDY DEPOSITAR IDEM 219-7570265
Water	Keith Middleton, EPA 312-886-6465
	middleton. Keith @ apa, gou
WATER	VALOIS AISTARS, USEPA (312) 886-0264
11111	mistare, valdis @ ege. for
NLMIC	Tom Olson, NLMIL Fordians 219-677-1535 Tolson Busine
ULMK	John H. dsa, NLMK Indiana Z17.405-883 ; hudsond us Nume. ca



#### UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

#### REGION 5 77 WEST JACKSON BOULEVARD CHICAGO, IL 60604-3590

SEP 2 7 2013

REPLY TO THE ATTENTION OF:

Mr. Bert Passalacqua Environmental Engineer NLMK Indiana Corporation 6500 South Boundary Road Portage, Indiana 46368

Re: NLMK Indiana Corporation EPA Id No.: IND984904466

Dear Mr. Passalacqua:

From June 11 to June 13, 2012, a representative of the U. S. Environmental Protection Agency, as part of a multimedia inspection team, inspected NLMK Indiana Corporation's (NLMK) facility located in Portage, Indiana. In response to violations of the Resource Conservation and Recovery Act identified during the inspection, we issued a Notice of Violation to you on December 20, 2012. Subsequent to our Notice of Violation, you submitted additional information regarding the identified violations in correspondence dated February 5, 2013 and September 16, 2013; as well as the Spill Prevention, Control and Counter Measures Plan updated in August 2013.

This letter is to inform you that EPA has reviewed the referenced responses and does not plan additional enforcement action at this time. This letter does not limit the applicability of the requirements evaluated, or of other federal or state statutes or regulations. EPA and the Indiana Department of Environmental Management will continue to evaluate your facility in the future.

If you have any questions or concerns regarding this matter, please contact Daniel F. Chachakis, of my staff, at (312) 886-9871.

Sincerely,

Gary J. Victorine Chief, RCRA Branch

Mary Septic for

cc: Nancy Johnston, Indiana Department of Environmental Management (njohnston@idem.in.gov)